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AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

*Codification
District of
Columbia
Official
Code*

**2001
Edition**

**2008 Fall
Supp.**

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Publisher**

To establish that the Office of Finance and Resource Management shall not use any intra-District funds to pay late fees on utilities; to amend the Office of Property Management Establishment Act of 1998 to establish a nonlapsing fund to allow the Office of Property Management to operate commuter benefits programs; to amend the District of Columbia Procurement Practices Act of 1985 to transfer funds from an existing nonlapsing fund to a new nonlapsing fund to operate and maintain the Personal Property Division in the Office of Contracting and Procurement; to establish a nonlapsing fund designated as the Youth Jobs Fund to provide in-school, out-of-school, and year round employment programs for youth; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to require that the Mayor and the Chief Financial Officer supplement all proposed budgets by providing the Council with the accompanying Form B budget enhancement requests, or similar documentation describing in detail agencies' budget needs; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1979 to allow the use of the Employee Compensation Fund for administrative expenses in fiscal year 2009 and to clarify that expenditures from the fund for administrative expenses are otherwise prohibited; to amend the Omnibus Spending Reduction Act of 1993 to established the John A. Wilson Building Centennial Fund to be used for the purpose of providing resources for the commemoration of the 100th anniversary of the opening of the building; to require the Mayor to submit to the Council spending plan information pertaining to all the federal grants for both operating and capital activities; to establish the Office of First Source Compliance as an administrative unit within the Department of Employment Services; to amend the Deed Transfer and Recordation Amendment Act of 2006 to provide that funds collected shall be transferred into the General Fund of the District of Columbia and to provide for a sunset of the provision, and to amend the District of Columbia Deed Recordation Tax Act and section 47-903(a-4) of the District of Columbia Official Code to make conforming amendments; to amend the Fiscal Year Budget Support Act of 1998 to provide

the Deputy Mayor for Planning and Economic Development with grant-making authority; to amend Chapter 28 of Title 47 of the District of Columbia Official Code to establish a general business license and a general contractor/construction manager license and to revise basic business license fees; to establish the Department of Housing and Community Development Unified Fund for housing and community development programs; to amend the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000 to provide authority to the District of Columbia and the Department of Housing and Community Development to dispose of abandoned and deteriorated properties in an efficient and expedited manner; to amend the Captive Insurance Company Act of 2004 to adjust premium taxes for captive insurers organized as risk retention groups; to amend An Act To establish a code of law for the District of Columbia to retroactively authorize the collection of a \$5 fee that has expired; to amend An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes to require the Mayor to submit to the Council a report on funds used for nuisance abatement activities; to amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to authorize the Small Business Micro Loan Fund to be used to provide financial assistance, including grants, loans, and loan guarantees to eligible recipients; to amend section 28-3903 to decrease the amount in controversy threshold from \$2,500 to \$250; to amend An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes to require the Public Service Commission and the Office of the People's Counsel to establish public awareness campaigns; to amend the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000 to provide that the E-911 fund shall not be used to defray personnel costs, and clarify the applicability of the tax on local exchange carriers; to repeal rules that established increased ambulance service fees and to revive the previous fees; to amend An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes to require that the Mayor issue rules governing the Homeland Security and Emergency Management Agency's use of video surveillance cameras and technology in the operations of its Video Interoperability for Public Safety program, and that the proposed regulations be submitted to the Council for approval; to require the District of Columbia Auditor to contract for a space analysis on the needs of the Office of Administrative Hearings; to amend the Office of Administrative Hearings Establishment Act of 2001 to

provide Administrative Law Judges with pay equivalent to Legal Service and Senior Executive Attorney Service attorneys; to establish the Community-based Violence Reduction Fund in the District of Columbia; to require that no funds appropriated in fiscal year 2009 be used by or for the Boys and Girls Clubs of Greater Washington prior to the approval of a plan for its real property; to amend the Motor Vehicle Theft Prevention Act of 2008 to set the maximum amount of fines to be deposited in the Motor Vehicle Theft Prevention Fund; to amend the District of Columbia School Reform Act of 1995 to authorize supplemental funding in addition to the Uniform Per Pupil Funding Formula; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to clarify that persons employed by the Office of the State Superintendent of Education who are not “excluded employees” are members of the educational service and shall be reappointed noncompetitively; to amend the Day Care Policy Act of 1979 to align childcare funding under the Office of the State Superintendent of Education consistent with the Education Reform Act of 2007; to amend the State Education Office Establishment Act of 2000 to authorize the State Superintendent of Education to collect and dedicate fees for state academic credential certifications and general educational development and to establish the Academic Certification and Test Fund; to amend the Education Licensure Commission Act of 1976 to revise the definition of “Educational institution,” to define “Facility,” and to revise licensure requirements; to amend the District of Columbia Nonresident Tuition Act of 1960 to update the yearly residency verification requirement; to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to establish truancy centers across the District; to amend the Uniform Per Student Funding Formula for Public Schools and Charter Schools Act of 1998 to increase the base from \$8,322.00 to \$8,770, and to set the per pupil facility allowance for public charter schools at \$3,109 for fiscal year 2009; to amend the Public Education Reform Amendment Act of 2007 to restore independent personnel authority to the Director of the Office of Public Education Facilities Modernization; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to strike the Office of Public Education Facilities Modernization; to amend the School Modernization Financing Act of 2006 to provide an extension for the submission of the Facilities Master Plan to September 10, 2008, and require that expenditures of the Office of Public Education Facilities Modernization follow the current work program submitted December 3, 2008, until an amended work program is submitted and approved by the Council; to amend the District of Columbia

School Reform Act of 1995 to provide that funds that have not been provided for in an approved financial plan shall not be distributed to any public charter school; to amend the Choice in Drug Treatment program so that grants awarded will not lapse; to amend the Homeless Service Reform Act of 2005 to establish a fund for addressing the supportive housing needs of homeless; to amend the Department of Youth Rehabilitation Services Establishment Act of 2004 to pay for meals for security officers in the Youth Services Center so they may eat with the youth; to amend the District of Columbia Child Support Enforcement Amendment Act of 1985 to clarify that judicial review of expedited child support administrative decisions lies with the District of Columbia Court of Appeals; to amend Chapter 40 of Title 47 of the District of Columbia Official Code to designate the Children and Youth Investment Trust Corporation as the agency responsible for administering the Public Fund for Drug Prevention and Children at Risk; to require the Director of the Child and Family Services agency to develop and submit a spending plan for the \$2.5 million requested for closing the mental health service gap; to require the Department of Mental Health to issue providers a statement of anticipated annual funding no later than 30 days before the start of the fiscal year; to prohibit the Departments of Health, Mental Health, and Health Care Finance from entering into an agreement for the transfer of funds in an amount that exceeds the budgeted allocation; to require the Department of Health to report on the status of the Health Professional Recruitment Program; to require the Department of Health to report on the levels of uncompensated care provided by certificate-of-need holders in the District of Columbia; to require the Department of Health Care Finance to report on efforts to maximize allowable Medicaid reimbursement revenue for health and mental health services provided as part of school-based programs; to require the Department of Mental Health to report on the status of the school mental health program; to require the Department of Mental Health to report on recommendations for a new governance structure for the D.C. Community Services Agency; to require the Department of Health to report on efforts to discontinue direct service delivery of methadone maintenance programs; to amend the Health Benefits Plan Members Bill of Rights Act of 1998 to redefine who administers the program; to amend Chapter 12 of Title 47 of the District of Columbia Official Code to set a maximum tax; to amend the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008 to establish an Effi Slaughter Barry Initiative Fund; to amend the Choice in Drug Treatment Act of 2000 to increase benefit maximums within the Choice in Drug Treatment Program; to amend the District of Columbia Health Professional Recruitment Program Act of 2005 to

expand eligibility for the program; to amend the Health Care Privatization Amendment Act of 2001 to set minimum reimbursement rates for safety net clinics; to require the Department of Mental Health and the Office of State Superintendent of Education to enter into an agreement for the transfer of funds to support an expansion to school-based mental health services; to require that all District government assistance application forms require applicants to state whether they are a veteran, and provide contact information for the Office of Veterans Affairs; to establish a Healthy DC program; to create the Healthy DC Fund to support the Healthy DC program; to require that the Mayor submit to the Council a Medicaid state plan amendment that will increase the specialty physician and primary care physician reimbursement rates; to amend the Health Maintenance Organization of 1996 to require that all health maintenance organizations pay to the District a sum of money as taxes equal to 2% of their policy and membership fees and net premium receipts or consideration received in such calendar year; to amend Chapters 24 and 26 of Title 47 of the District of Columbia Official Code to increase the tax on cigarettes and to require that accident and health insurers pay a tax based on their membership fees and policy receipts; to amend the District Department of the Environment Establishment Act of 2005 to transfer the Childhood Lead Poisoning Prevention Program from the Department of Health to the District Department of the Environment; to amend section 14-707 of the District of Columbia Municipal Regulations to require that an owner served an order pursuant to the section comply within 15 days or obtain an extension; to amend the District of Columbia Traffic Act, 1925, and the District of Columbia Revenue Act of 1937 to set minimum standards to receive exemption from motor vehicle excise tax at 40 miles per gallon and to exempt the tax of a lessor; to amend the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996 to authorize the District Department of the Environment to establish storm-water fees; to amend the District of Columbia Traffic Act, 1925, to extend the license duration to 8 years; to amend An Act To provide for annual inspection of motor vehicles in the District of Columbia to extend the duration of motor vehicle inspections to 4 years on new vehicles; to amend the Department of Transportation Establishment Act of 2002 to provide the District Department of Transportation Unified Fund be used for interim libraries and a school playground, and to require that all revenue from the recovery of costs associated with the repair and replacement of District Department of Transportation assets that are located in the public space be deposited into the fund; to amend the Klingle Road Restoration Act of 2003 to prevent the re-

opening of Klinge Road to motor vehicle traffic; to require the District Department of Transportation to use funds in fiscal year 2009 for the environmental remediation of Klinge Valley and construction of a pedestrian and bicycle trail, and to allocate \$2 million of funds proposed for the reconstruction of Klinge Road to be used for alley repairs throughout the District; to establish a Pedestrian and Bicycle Safety Enhancement Fund, which shall be used to enhance the safety and quality of pedestrian and bicycle transportation; to authorize grant-making authority for the Director of the Alcoholic Beverage Regulation Administration; to amend Chapter 18 of Title 47 of the District of Columbia Official Code to increase the earned income tax credit from 35% to 40%; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to require that revenues designated for nonlapsing funds, if to be used to pay debt service, be deposited in the General Fund of the District of Columbia; to amend Chapter 8 of Title 47 of the District of Columbia Official Code to change the real property tax rates and special property tax rates for taxable Class 2 properties; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to establish vesting requirements for the provision of other post-employment benefits to annuitants; to amend Chapter 24 of Title 47 of the District of Columbia Official Code to clarify that stamps may be affixed only to packages of cigarettes whose brands are included in the directory of Tobacco Product Manufacturers; to amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned by Golden Rule Plaza, Inc., and to provide equitable real property tax relief to Golden Rule Plaza, Inc; to amend section 47-825.01 of the District of Columbia Official Code to increase the hourly rate of compensation for members of the Board of Real Property Assessments and Appeals; to amend the Tax Increment Financing Authorization Amendment Act of 1998 to extend the sunset date for the issuance of bonds; to amend the Arena Tax Amendment Act of 1994 to clarify the arena is not subject to recordation tax when the ground lease is extended for an additional 20 years; to amend the Assisted Living Residence Regulatory Act of 2000, the School Proximity Traffic Calming Act of 2000, the Safe Needle Act of 2000, the Emergency Medical Services Non-Resuscitation Procedures Act of 2000, the School Governance Charter Amendment Act of 2000, the Tax Expenditure Budget Review Act of 2000, Newborn Hearing Screening Act of 2000, the New E-Conomy Transformation Act of 2000, the Child and Family Services Agency Establishment Act of 2000, the Earned Income Tax Credit Act of 2001, the Office of Employee Appeals Attorney Fees Clarification Amendment Act of 2002, the Housing Act

of 2002, the Office of Administrative Hearings Establishment Act of 2001, the Improved Child Abuse Investigations Amendment Act of 2002, the Child and Family Services Agency Licensure Exemption of Certain Court Personnel Amendment Act of 2001, the Omnibus Public Safety Agency Reform Amendment Act of 2004, the Police and Firemen's Service Longevity Amendment Act of 2004, the Crispus Attucks Development Corporation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, the Southeast Neighborhood House Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, the CareFirst Economic Assistance Act of 2004, the Neighborhood Investment Act of 2004, the Long-Term Care Insurance Tax Deduction Act of 2004, the Health Care Ombudsman Program Establishment Act of 2004, the Language Access Act of 2004, the District of Columbia Health Occupations Revision Act of 1985, the Equity in Real Property Tax Assessment Act of 2004, the Sexual Minority Youth Assistance League Equitable Real Property Tax Relief Act of 2004, the Owner-Occupant Residential Tax Credit and Exemption Act of 2004, the Public Charter School Real Property Tax Rebate Act of 2004, the American College of Cardiology and the American College of Cardiology Foundation Real Property Tax Exemption Act of 2004, the Bread For The City Community Garden Equitable Real Property Tax Relief Act of 2004, Child and Youth, Safety and Health Omnibus Amendment Act of 2004, the Capitol Hill Community Garden Land Trust Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, the Ceremonial Funds Amendment Act of 2004, the Fiscal Year 2005 Budget Support Act of 2004, the Jenkins Row Economic Development Act of 2004, the Douglass Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Act of 2004, the Tax Abatement Adjustment for Housing Priority Area Act of 2004, the National Park Trust Equitable Real Property Tax Relief Act of 2004, the Enhanced Professional Security Amendment Act of 2006, the Rental Housing Act of 1985, the Abatement of Nuisance Construction Projects Amendment Act of 2005, the Health Care Benefits Expansion Amendment Act of 2006, the Stevie Sellows Intermediate Care Facility for the Mentally Retarded Quality Improvement Act of 2005, the Fiscal Year 2006 Budget Support Act of 2005, the District Government Injured Employee Protection Act of 2006, the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, the Targeted Historic Preservation Assistance Amendment Act of 2006, the National Community Reinvestment Coalition Real Property Tax Exemption Act of 2005, the District of Columbia health Professional Recruitment Program Act of 2005, the Office and Commission on African

Affairs Act of 2006, the Green Building Act of 2006, the New Columbia Community Land Trust 20th and Channing Streets, N.E. Tax Exemption Act of 2006, the Square 2910 Residential Development Stimulus Act of 2006, the District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006, the Fiscal Year 2007 Budget Support Act of 2006, the Organ and Bone Marrow Donor Act of 2006, the Washington Stage Guild Tax Exemption Act of 2006, the Inclusionary Zoning Implementation Amendment Act of 2006, the Disability Rights Protection Act of 2006, the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, the Film DC Economic Incentive Act of 2006, the Domestic Partnerships Joint Filing Act of 2006, the Mayor and Council Compensation Adjustment and Compensation Advisory Commission Establishment Amendment Act of 2006, the Public Education Reform Amendment Act of 2007, the Human Papillomavirus Vaccination and Reporting Act of 2007, the Department of Health Care Finance Establishment Act of 2007, the Bicycle Commuter and Parking Expansion Act of 2007, the Payday Loan Consumer Protection Amendment Act of 2007, the Motor Vehicle Theft Prevention Act of 2008, the Jobs for D.C. Residents Amendment Act of 2007, the Accrued Sick and Safe Leave Act of 2008, the College Savings Program Increased Tax Benefit Act of 2008, the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, the Constitution Square Economic Development Act of 2008, the Disposition and Redevelopment of Lot 854 in Square 441 Approval Act of 2008, the Compliance Unit Establishment Act of 2008, the Pre-k Enhancement and Expansion Amendment Act of 2008, the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, the Council Office of Tax and Revenue Investigation Special Committee Establishment Emergency Resolution of 2007, to eliminate contingency provisions no longer necessary because of appropriations having become available; to amend section 47-1812.11c of the District of Columbia Official Code to provide that until the District of Columbia Statehood Delegation Fund Commission convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds; to amend Chapter 18 of Title 47 of the District of Columbia Official Code to disallow certain accelerated depreciation and expense deductions; to amend the District of Columbia Deed Recordation Tax Act to increase the economic interests deed and recordation tax; to amend Chapter 18 of Title 47 of the District of Columbia Official Code to provide that no deduction shall be allowed for an amount attributable to domestic production activities pursuant to section 199 of the Internal Revenue Code of

1986; to place funds from the fiscal year 2008 operating cash reserve into a segregated nonlapsing fund until fiscal year 2010; to amend the PILOT Authorization Increase and Arthur Capper/Carrollsborg Public Improvement Revenue Bonds Approval Act of 2006 to clarify the amount of bond proceeds available for the project; to provide specific funding allocations; and to provide requirements for the receipt of grants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Fiscal Year 2009 Budget Support Act of 2008".

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. LATE FEE AVOIDANCE.

Sec. 1001. Short title.

This subtitle may be cited as the "Late Fee Avoidance Act of 2008".

Sec. 1002. Responsibility for late fees.

(a) The Office of Finance and Resource Management and the Office of Property Management shall pay an equal share of any fees incurred by the District of Columbia if both agencies are responsible for the late payment for the consumption of energy commodities, including electricity, natural gas, heating fuel, steam, and water; provided, that if one agency is responsible for the late payment, that agency shall pay the full fee incurred by the District of Columbia.

(b) Funds used to pay late fees shall not be intra-District funds collected from assessments to District agencies for the payment of projected fixed-cost expenses.

Sec. 1003. Applicability.

This subtitle shall apply as of October 1, 2008.

SUBTITLE B. DISTRICT OF COLUMBIA EMPLOYEE PARKING PROGRAM FUND.

Sec. 1004. Short title.

This subtitle may be cited as the "District of Columbia Employee Parking Program Fund Establishment Amendment Act of 2008".

Sec. 1005. The Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*), is amended by adding a new section 1806j to read as follows:

"Sec. 1806j. Establishment of District of Columbia Employee Parking

Program Fund.

"(a) There is established as a nonlapsing fund the District of Columbia Employee Parking Program Fund ("Fund"). All funds received by the District government from the operation of the employee parking program shall be deposited into the Fund.

"(b) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress.

"(c) The Fund shall be administered by the Chief Property Management Officer and shall be used for the maintenance and non-capital improvements of District-owned properties under the management of the Office of Property Management, the administration of the employee parking program, and the establishment and operation of mass-transit programs for District government employees."

SUBTITLE C. DISTRICT OF COLUMBIA SURPLUS PERSONAL PROPERTY SALES REVOLVING FUND.

Sec. 1006. Short title.

This subtitle may be cited as the "Surplus Personal Property Sales Revolving Fund Amendment Act of 2008".

Sec. 1007. Section 703 of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-307.03), is amended as follows:

(a) The section designation is amended to read as follows:

"Sec. 703. District of Columbia Surplus Personal Property Sales Revolving Fund."

(b) Subsection (a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase "subsection (b)" and inserting the phrase "subsection (c)" in its place.

(2) A new paragraph (1A) is added to read as follows:

"(1A) "Fund" means the District of Columbia Surplus Personal Property Sales Revolving Fund established by subsection (b) of this section."

(c) Subsection (b) is amended to read as follows:

"(b) There is established as a nonlapsing fund the District of Columbia Surplus Personal Property Sales Revolving Fund ("Fund"), which shall be used to pay the costs of conducting surplus personal property sales and operating and maintaining

the Personal Property Division and such activities as may be necessary to improve the procurement function within the Office of Contracting and Procurement. This section shall not prohibit or limit the allocation of funds from the revenues of the District of Columbia for the purposes designated in this subsection."

(d) Subsection (d) is amended to read as follows:

"(d) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress."

(e) Subsection (e) is amended to read as follows:

"(e) All funds in the District of Columbia Surplus Personal Property Sales Operating Fund shall be transferred to the Fund."

(f) Subsections (f) and (g) are repealed.

SUBTITLE D. YOUTH JOBS FUND.

Sec. 1008. Short title.

This subtitle may be cited as the "Youth Jobs Fund Establishment Act of 2008".

Sec. 1009. Youth Jobs Fund.

(a) There is established as a nonlapsing fund the Youth Jobs Fund ("Youth Fund"). All funds deposited into the Youth Fund, and the interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The Youth Fund shall be used to pay for any purpose authorized under subsection (c) of this section, including administrative and vendor costs; provided, that not more than 10% of the funds deposited into the Youth Fund shall be used for Department of Employment Services administrative costs and not more than 10% of the funds deposited into the Youth Fund shall be used for vendor administrative costs.

(c) The Youth Fund shall be utilized for approved programs to provide in-school, out-of-school, and year-round employment programs for youth to work at least 10 hours per week.

(d) All District funds designated for youth employment shall be deposited into the Youth Fund, beginning on October 1, 2008.

(e) Beginning October 1, 2008, the Department of Employment Services shall submit to the Council a report that details the activities, budget, and expenditures, at

the program level, of all programs, activities, and projects undertaken by the Youth Fund from all available funding sources. The report shall be submitted quarterly.”.

SUBTITLE E. FORM B REQUIREMENT.

Sec. 1010. Short title.

This subtitle may be cited as the “Budget Transparency Act of 2008”.

Sec. 1011. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Subchapter I-B is amended by adding a new section designation to read as follows:

“§ 47-318.05a. Budget submissions required; agency enhancement requests.”.

(b) A new section 47-318.05a is added to read as follows:

“§ 47-318.05a. Budget submissions required; agency enhancement requests.

“The Mayor and the Chief Financial Officer shall supplement all proposed budgets submitted pursuant to § 1-204.42, and related budget documents required by §§ 1-204.42, 1-204.43, and 1-204.44, by submitting to the Council simultaneously with the proposed budget submission:

“(1) Actual copies, not summaries, of all agency budget enhancement requests, including the “Form B” for all District agencies; and

“(2) Any similar documentation describing in detail agencies’ budget needs or requests.”.

SUBTITLE F. EMPLOYEE COMPENSATION FUND.

Sec. 1012. Short title.

This subtitle may be cited as the "Employee Compensation Fund Allowance and Clarification Amendment Act of 2008".

Sec. 1013. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), is amended as follows:

(a) Subsection (a) is amended to read as follows:

"(a)(1) For the purposes of this section, the term "administrative expenses" means, except as provided by subsection (b) of this section, any cost of administration or operation, whether executive, clerical, or otherwise, discretionary or non-discretionary, that is not a payment directed to medical care, vocational rehabilitation, or employee compensation and benefits; provided, that the term "administrative expenses" shall not include expenses for legal service performed by or for the Mayor under sections 331 and 332.

"(2) There is established in the District of Columbia government the Employees' Compensation Fund ("Fund"), which shall consist of sums that the Council of the District of Columbia government or Congress, from time to time, may appropriate for or transfer to it and amounts that otherwise accrue to it under this title or other statute. The Fund is available without time limit for the payment of compensation and other benefits and expenses, except administrative expenses, authorized by this title or any extension or application thereof, except as otherwise provided by this subtitle or other statute.

"(3) Notwithstanding the provisions of paragraph (2) of this subsection, for fiscal year 2009 only, an amount not to exceed \$904,000 may be expended for the administrative expenses of the Fund."

SUBTITLE G. WILSON BUILDING CENTENNIAL FUND.

Sec. 1014. Short title.

This subtitle may be cited as the "John A. Wilson Building Centennial Fund Establishment Amendment Act of 2008".

Sec. 1015. Title VI of the Omnibus Spending Reduction Act of 1993, effective November 25, 1993 (D.C. Law 10-65; D.C. Official Code § 10-1301 *et seq.*), is amended by adding a new section 601a to read as follows:

"Sec. 601a. Establishment of the John A. Wilson Building Centennial Fund.

"(a) There is established as a nonlapsing fund the John A. Wilson Building Centennial Fund ("Fund"), to be administered by the Secretary to the Council, to be used for the purpose of providing resources for the commemoration of the 100th anniversary of the opening of the building, formerly known as the District Building, as the permanent location for the municipal government in Washington, D. C., and any other purpose set forth in subsection (c) of this section.

"(b) Deposits into the Fund shall include appropriated funds, other District funds, private gifts, donations, and receipts from the sale of memorabilia and information commemorating the 100th anniversary of the John A. Wilson Building. All funds deposited into the Fund shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress.

"(c) The Secretary to the Council may expend monies in the Fund, to commemorate the anniversary, including the following activities:

"(1) Planning, developing, and executing programs and activities appropriate to commemorate the 100th anniversary of the opening of the building,

which occurred on or about July 4, 1908;

“(2) Identifying appropriate displays and activities to showcase the history of the building and of elected government in the District of Columbia, and officials who have shaped the history of the District of Columbia;

“(3) Recommending building upgrades that reflect the status of the building as the seat of municipal government;

“(4) Assessing the need for an ongoing effort to document the history of the District of Columbia government;

“(5) Outlining a program or programs to involve the public in learning more about the history of the Council of the District of Columbia and elected government in the District of Columbia;

“(6) Encouraging educational, historical, civic, and other organizations to participate in the anniversary activities to expand the understanding of the history of elected government in the District of Columbia;

“(7) Facilitating and coordinating scholarly research on and publication of historical information on the building and District of Columbia elected officials;

“(8) Assuring that the observances appropriately recognize the former Mayors, Councilmembers, and others who have contributed to the growth and development of the building and elected government in the District; and

“(9) Facilitating other activities related to the centennial, in and around the building, as appropriate, including receptions, parades, festivals, or other activities, and the provision of food, snacks, entertainment, and non-alcoholic beverages to the general public, and participants of those activities.

“(d) The Secretary to the Council is authorized to purchase and sell books, pamphlets, memorabilia, and other materials and information.”.

SUBTITLE H. FEDERAL GRANTS SPENDING PLANS SUBMISSION.

Sec. 1016. Short title.

This subtitle may be cited as the “Federal Grants Spending Plans Submission Act of 2008”.

Sec. 1017. By October 1, 2008, the Mayor shall submit to the Council detailed spending-plan information pertaining to all the federal grants for both operating and capital activities that the District anticipates it will receive in fiscal year 2009, including for each grant in every agency:

(1) The federal grant amount for fiscal year 2009, and an estimated amount expected for fiscal year 2010;

(2) The amount of local funds required to receive the federal matching grant (“FMG”), delineating the percentage of the agency’s local budget that must be

expended to receive the FMG;

(3) The number of full-time equivalents (“FTE’s”) who are involved in the effort to meet the requirements of the FMG;

(4) The number of FTE’s supported solely by FMG dollars and the number of FTE’s partially supported by FMG dollars;

(5) Data showing the current percentage of the agency’s activities that is eligible for FMG dollars;

(6) Data showing likely areas of development for maximizing the percentage of its activities qualifying for FMG dollars and, if such areas exist, an explanation as to why this maximization has been hindered or not obtained, explicating the impediments to obtaining available FMG dollars; and

(7) An analysis of the impact that greater FMG dollars would have on its local budget.

SUBTITLE I. FIRST SOURCE COMPLIANCE.

Sec. 1018. Short title.

This subtitle may be cited as the “First Source Compliance Act of 2008”.

Sec. 1019. Definitions.

For the purposes of this subtitle, the term:

(1) “Executive Director” means the Executive Director of the Office of First Source Compliance.

(2) “Office” means the Office of First Source Compliance.

(3) “First Source Employment Agreement” means the requirements of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

Sec. 1020. Establishment of the Office of First Source Compliance.

Pursuant to section 404(b) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 787; D.C. Official Code § 1-204.04(b)), the Council establishes, as of October 1, 2008, the Office of First Source Compliance, as a single administrative unit within the Department of Employment Services, to enforce, monitor, and ensure compliance with the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*), by each beneficiary of government-assisted projects in the District of Columbia.

Sec. 1021. Functions and duties.

(a) The Office shall:

(1) Monitor and track each beneficiary of government-assisted projects in the District to ensure compliance with the First Source Employment Agreement;

(2) Ensure that each beneficiary who is presently working on a governmental-assisted project or is bidding on a governmental-assisted project is in compliance with the First Source Employment Agreement;

(3) Require the beneficiary to submit to the Office a report on the 15th of each month on a form proposed by the Mayor; and

(4) Submit to the Council and the Mayor a quarterly report on a form proposed by the Mayor.

(b) The Department of Employment Services shall meet with the Council's Committee on Workforce Development and Government Operations and the members of the affected business community. Based on such meetings, the Department of Employment Services shall prepare recommendations regarding additional proposed functions and duties of the Office and shall submit the recommendations to the Mayor.

(c) Based upon the recommendations submitted to the Mayor pursuant to subsection (b) of this section, on or before October 31, 2008, the Mayor shall submit an act to the Council:

(1) Establishing any additional functions and duties of the Office;

(2)(A) Proposing penalties under section 4(e)(4) of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03(e)(4)), for beneficiaries of government-assisted projects who do not comply with the requirements of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.01 *et seq.*).

(B) Any monetary penalties proposed shall be used for job-training programs; and

(3) Proposing an appeal process, which may include the Contract Appeals Board appellate process, including its scope, under section 4(e)(5) of the First Source Employment Agreement Act of 1984, effective June 29, 1984 (D.C. Law 5-93; D.C. Official Code § 2-219.03(e)(5)).

Sec. 1022. Executive Director.

The Office shall be headed by an Executive Director appointed by the Mayor. The Executive Director shall be a resident of the District of Columbia or agree to become a resident of the District of Columbia within 180 days of appointment by the Mayor. The Executive Director shall employ staff as needed, in accordance with annual appropriations.

Sec. 1023. Appropriations.

The amount of \$780,000 has been appropriated in the Department of Employment Services' budget for fiscal year 2009 for the establishment of the Office of First Source Compliance.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION
SUBTITLE A. COMPREHENSIVE HOUSING STRATEGY FUND.

Sec. 2001. Short title.

This subtitle may be cited as the "Comprehensive Housing Strategy Fund Amendment Act of 2008".

Sec. 2002. Section 2052 of the Deed Transfer and Recordation Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 42-2855.01), is amended as follows:

(a) Subsection (a) is amended by striking the phrase "An amount equal to" and inserting the phrase "In fiscal years 2007 and 2008, an amount equal to" in its place.

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

"(a-1)(1) In fiscal year 2009 and thereafter, all funds collected under section 303(a-4) of the District of Columbia Deed Recordation Tax Act, approved March 22, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a-4)), and D.C. Official Code § 47-903(a-4) shall be deposited in the General Fund of the District of Columbia.

"(2) No later than March 31, 2009, the Chief Financial Officer shall transfer any remaining unobligated and unexpended monies from the Fund to the Housing Production Trust Fund, established by section 3 of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802)."

(c) A new subsection (d) is added to read as follows:

"(d) This section shall expire on April 1, 2009."

Sec. 2003. Conforming amendments.

(a) Section 303(a-4) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a-4)), is amended to read as follows:

“(a-4) Beginning October 1, 2006, except for residential properties transferred for a consideration less than \$400,000, an additional tax of .35% is imposed upon a deed that is subject to the tax under subsection (a)(1) of this section. Of the funds collected under this subsection, 15% shall be deposited in the Housing Production Trust Fund established by section 3 of the Housing Production Fund Act of 1988, effective March 18, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802), and the remainder shall be deposited in the General Fund of the District of Columbia.”.

(b) Section 47-903(a-4) of the District of Columbia Official Code is amended to read as follows:

“(a-4) Beginning October 1, 2006, except for residential properties transferred for a consideration less than \$400,000, an additional tax of .35% is imposed upon a deed that is subject to the tax under subsection (a)(1) or (3) of this section. Of the funds collected under this subsection, 15% shall be deposited in § 42-2802 and the remainder shall be deposited in the General Fund of the District of Columbia.”.

**SUBTITLE B. CONTINUATION OF ECONOMIC DEVELOPMENT
GRANT AUTHORITY.**

Sec. 2004. Short title.

This subtitle may be cited as the “Continuation of Economic Development Grant Authority Amendment Act of 2008”.

Sec. 2005. Grant-making authority.

Section 1833 of the Fiscal Year 1999 Budget Support Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 2-1203.02), is amended as follows:

(a) Paragraph (8) is amended by striking the phrase “districts; and” and inserting the phrase “districts;” in its place.

(b) Paragraph (9) is amended by striking the phrase “City.” and inserting the phrase “City; and” in its place.

(c) A new paragraph (10) is added to read as follows:

“(10) With appropriated funds, distribute the one-time grant of \$13.5 million to the Canal Park Development Association for construction of Canal Park, issue one-time grants in accordance with section 8002(h) of the Fiscal Year 2009 Budget Support Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678), and issue grants as may be necessary to implement only the human capital projects that are part of the New Communities Initiative; provided, that any grant issued pursuant to this paragraph shall constitute an agreement making grants-in-aid for the purposes of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01

et seq.).

SUBTITLE C. BUSINESS LICENSING PROCESSING ADJUSTMENT.

Sec. 2006. Short title.

This subtitle may be cited as the “Business Licensing Processing Adjustment Act of 2008”.

Sec. 2007. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by adding a new section designation for subchapter I-A to read as follows: “47-2851.03d. General Business License and General Contractor/Construction Manager License.”.

(b) A new section 47-2851.03d is added to read as follows:

“§ 47-2851.03d. General Business License and General Contractor/Construction Manager License.

“(a) A General Business License shall be required for all businesses engaging in any business transaction in the District that have a business tax identification number and who are not otherwise required to obtain an endorsement under a license endorsement category under this chapter. If a business entity is comprised of principals who are required to maintain licenses granted or regulated by a local, state, or national certification board or body, the entity and its licensed principals shall not be required to obtain a General Business License. A biennial fee of \$200 shall be charged for the General Business License.

“(b) A General Contractor/Construction Manager License shall be required for individuals or businesses engaged in general contracting or construction management. A biennial fee of \$500 shall be charged for the license. The Mayor may establish, by rule, bond requirements for general contractors and construction managers as a condition for issuance of the General Contractor/Construction Manager License.

“(c) The Mayor may adjust, by rule, the license fees established in subsections (a) and (b) of this section.

“(d) A license issued pursuant to this section shall be issued as a General Business endorsement to a basic business license.”.

(c) Section 47-2851.08 is amended as follows:

(1) Subsection (a)(1) is amended to read as follows:

“(a)(1) The Center shall collect a fee of \$70 for each basic business license it issues, plus \$25 for each endorsement added to the basic business license.”.

(2) Subsection (b)(1) is amended to read as follows:

“(b)(1) The Center shall collect a fee of \$70 on each renewal license it issues,

plus \$25 for each endorsement added to the basic business license.”.

(d) Section 47-2851.13 is amended by adding a new subsection (d) to read as follows:

“(d)(1) A portion of the increased fees under § 47-2851.03d shall be used to reform and streamline the application and renewal process for licensing under this chapter.

“(2) Within 6 months of the effective date of the Business Licensing Processing Adjustment Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678), the Department shall report to the Chairperson of the Council committee with oversight of the Department on the specific steps taken to implement these new processes.”.

SUBTITLE D. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT UNIFIED FUND.

Sec. 2008. Short title.

This subtitle may be cited as the “Department of Housing and Community Development Unified Fund Establishment Act of 2008”.

Sec. 2009. Department of Housing and Community Development Unified Fund.

(a) There is established as a nonlapsing fund the Department of Housing and Community Development Unified Fund (“Unified Fund”), to be administered by the Department of Housing and Community Development.

(b) All funds deposited into the Unified Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (c) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(c) Funds deposited into the Unified Fund shall be used for the following purposes:

(1) To provide financial assistance to low-income and moderate-income residents of the District so that they may obtain or maintain affordable housing;

(2) To assist low-income and moderate-income residents in making down payments on homes within the District;

(3) To assist low-income and moderate-income residents in making share payments or other payments to housing cooperatives or condo associations within the District;

- (4) To provide financial assistance to developers to acquire real property for the provision of affordable housing;
 - (5) To provide funding for the design, installation, and renovation of site improvements to be located on property to be developed or rehabilitated as affordable housing;
 - (6) To provide funding for private for-profit and not-for-profit developers to facilitate the development of affordable housing;
 - (7) To provide funding for property maintenance facilities at affordable housing developments;
 - (8) To provide funding for the Department of Housing and Community Development (“DHCD”) to reclaim properties that have received notice of foreclosure in cases where DHCD has subordinated liens;
 - (9) To provide affordable financing to low-income and moderate-income residents to correct basic housing defects and ensure long-term livability;
 - (10) To develop programs to encourage property owners to rehabilitate and occupy their abandoned or deteriorated residential properties;
 - (11) To facilitate DHCD’s acquisition, disposition, and rehabilitation of vacant and deteriorated properties when property owners fail to maintain the properties;
 - (12) To facilitate the development of affordable housing generally; and
 - (13) To provide funding for other affordable housing purposes, as determined by the Director of DHCD in furtherance of DHCD’s mission.
- (d) Not more than 20% of the funds deposited into the Unified Fund may be used to pay project-delivery costs.
- (e) The following funds shall be deposited into the Unified Fund, beginning on October 1, 2008:
- (1) All revenue derived from lease payments from loans and other proceeds received under the Land Acquisitions for Housing Development Opportunities Program, established under the authority of the District of Columbia Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1001 *et seq.*);
 - (2) All revenue derived from repayments and other proceeds from the following programs, funding sources, and accounts maintained by DHCD:
 - (A) Rehabilitation Repayment account;
 - (B) Low Income Housing Tax Credit Fee Collection;
 - (C) Home Again Revolving Fund;
 - (D) Portal Sites; and
 - (E) Any other DHCD programs created by regulation, as determined by the Director; and

(3) All other sources of revenue as the Council may determine by act.

(f) No revenue from any federal funding source nor any income derived from any federal funding source shall be deposited into the Unified Fund.

(g) The Director shall distribute funds from the Unified Fund in accordance with DHCD's annual action plan, budget projections, and performance goals that are directed towards creating affordable housing and community development.

(h) On October 31, 2009, and annually thereafter, DHCD shall submit to the Council a report that describes all programs, activities, and projects undertaken by DHCD using funds allocated from the Unified Fund.

Sec. 2010. Section 3(c)(9) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(c)(9)), is repealed.

SUBTITLE E. DISPOSITION OF ABANDONED AND DETERIORATED PROPERTY.

Sec. 2011. Short title.

This subtitle may be cited as the "Disposition of Abandoned and Deteriorated Property Amendment Act of 2008".

Sec. 2012. Section 433(a) of the Abatement and Condemnation of Nuisance Properties Omnibus Amendment Act of 2000, effective April 19, 2002 (D.C. Law 14-114; D.C. Official Code § 42-3171.03(a)), is amended by adding the phrase " , or acquired by any other means," after the phrase "acquired under section 432".

SUBTITLE F. CAPTIVE INSURANCE COMPANY.

Sec. 2013. Short title.

This subtitle may be cited as the "Captive Insurance Company Adjustment Amendment Act of 2008".

Sec. 2014. Section 13 of the Captive Insurance Company Act of 2004, effective March 17, 2005 (D.C. Law 15-262; D.C. Official Code § 31-3931.12), is amended as follows:

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

"(a-1) A captive insurer organized as a risk retention group, as defined in section 2(12) of the Risk Retention Act of 1993, effective October 21, 1993 (D.C. Law 10-46; D.C. Official Code § 31-4101(12)), shall pay to the District, not later than March 2 of each year, a tax at the rate of:

“(1) Thirty-eight hundredths of 1% on the first \$20 million of its total net direct premiums;

“(2) Twenty-five hundredths of 1% on the next \$20 million of its total net direct premiums; and

“(3) Eighteen hundredths of 1% on each additional dollar of its total net direct premiums.”.

(b) Subsection (d) is amended as follows:

(1) Strike the phrase “subsections (a) and (b)” and insert the phrase “subsections (a-1) and (b)” in its place.

(2) Strike the phrase “\$10,000” wherever it appears and insert the phrase “\$15,000” in its place.

(c) Subsection (l) is repealed.

Sec. 2015. Applicability.

This subtitle shall apply as of January 1, 2008.

SUBTITLE G. RECORDER OF DEEDS RECORDATION SURCHARGE.

Sec. 2016. Short title.

This subtitle may be cited as the "Recorder of Deeds Recordation Surcharge Amendment Act of 2008".

Sec. 2017. Section 552a(c) of An Act To establish a code of law for the District of Columbia, effective April 12, 1997 (D.C. Law 11-257; D.C. Official Code § 42-1211(c)), is repealed.

Sec. 2018. Applicability.

This subtitle shall apply as of April 11, 2007.

SUBTITLE H. NUISANCE PROPERTIES ABATEMENT.

Sec. 2019. Short title.

This subtitle may be cited as the “Nuisance Properties Abatement Implementation Amendment Act of 2008”.

Sec. 2020. Section 1(a)(4) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(a)(4)), is amended to read as follows:

“(4) Not later than 6 months after the end of each fiscal year, the Mayor shall submit to the Council a report of the financial condition of the fund, and

any other special purpose revenue funds or capital project funds used for nuisance abatement activities, and the results of the operations and collections for the fiscal year. The report shall include an itemized accounting of all unrecovered taxes and penalties, the names of delinquent property owners, the nature of corrected building violations, and a detailed accounting of each expenditure. All funding sources shall be separately listed.”.

SUBTITLE I. SMALL BUSINESS MICRO LOAN FUND.

Sec. 2021. Short title.

This subtitle may be cited as the “Small Business Micro Loan Fund Amendment Act of 2008”.

Sec. 2022. Section 2375(b) of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75(b)), is amended to read as follows:

“(b) There is established as a nonlapsing fund the Small Business Micro Loan Fund, which shall be used solely for the following purposes:

“(1) To grant the local funds necessary to obtain federal matching funds to establish a procurement technical assistance program in the Department;

“(2) To make a one-time grant in an amount of \$120,000 to be divided equally among the D.C. Main Streets Programs that are in good standing and have letters of agreement with the Department of Small and Local Business Development that expire by September 30, 2008 for expenditures related to personnel, accounting, and auditor services; and to make a one-time grant in an amount of \$10,000 to the Latino Economic Development Corporation for the printing of the Think Local First print directory that supports local businesses in the District; and

“(3) To provide financial assistance, including grants, loans, and loan guarantees, to eligible recipients.”.

SUBTITLE J. CONSUMER PROTECTION ENHANCEMENT.

Sec. 2023. Short title.

This subtitle may be cited as the “Consumer Protection Act of 2008”.

Sec. 2024. Section 28-3903(a)(1)(i) of the District of Columbia Official Code is amended by striking the figure “\$2,500” and inserting the figure “\$250” in its place.

SUBTITLE K. COMPETITIVE ENERGY SUPPLIER CONSUMER AWARENESS.

Sec. 2025. Short title.

This subtitle may be cited as the “Competitive Energy Supplier Consumer Awareness Amendment Act of 2008”.

Sec. 2026. Section 8 of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 974; codified in scattered sections of Title 34 of the District of Columbia Official Code), is amended by adding a new paragraph 97A to read as follows:

“Par. 97A. (A) The Office of the People’s Counsel shall establish a program to increase the awareness of District residents of the availability of services offered by competitive energy providers and the means by which to procure such services.

“(B) The Public Service Commission shall establish a program to increase the awareness of District residents of the availability of services offered by competitive energy providers and the means by which to procure such services.”.

TITLE III. PUBLIC SAFETY AND JUSTICE

SUBTITLE A. EMERGENCY COMMUNICATIONS FUND.

Sec. 3001. Short title.

This subtitle may be cited as the “Emergency Communications Funding Amendment Act of 2008”.

Sec. 3002. The Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 *et seq.*), is amended as follows:

(a) Section 603(b-1) (D.C. Official Code § 34-1802(b-1)) is amended to read as follows:

“(b-1) After October 1, 2008, no monies in the Fund shall be used to defray personnel costs.”.

(b) Section 604(a)(1) (D.C. Official Code § 34-1803(a)(1)) is amended to read as follows:

"(a)(1) There is imposed upon all local exchange carriers, including wireline and wireless carriers and interconnected Voice Over Internet Protocol (“VoIP”) service providers, as defined by 47 C.F.R. § 9.3, that connect users who dial or enter the digits 9-1-1 to the District's public safety answering points, a monthly tax

calculated on the basis of each individual telephone line sold or leased in the District as follows:

“(A) For wireline local exchange service:

“(i) \$0.76 per exchange access line in the District of Columbia;

“(ii) \$0.62 per Centrex line in the District of Columbia; and

“(iii) \$0.62 per private branch exchange station in the District of Columbia;

“(B) For wireless telephone exchange service, \$0.76 for each telephone number that has a District of Columbia billing address; and

“(C) For interconnected VoIP service, as defined by 47 C.F.R. § 9.3, \$0.76 for each line, trunk, or path that can access to, connect with, or interface with 911 service based on primary place of use.”.

SUBTITLE B. AMBULANCE FEES.

Sec. 3003. Short title.

This subtitle may be cited as the “Ambulance Fee Act of 2008”.

Sec. 3004. The emergency and final rules amending section 525.1 of Chapter 29 of the District of Columbia Municipal Regulations, effective March 21, 2008 (55 DCR 2948) and April 18, 2008 (55 DCR 4373), respectively, are repealed.

Sec. 3005. Section 525.1 of Chapter 29 of the District of Columbia Municipal Regulations is revived to read as it did on March 20, 2008. The subsection shall read as follows:

"525.1 The following fees are hereby established for emergency ambulance life support service and for the transportation of a person in a District of Columbia Fire and Emergency Medical Services Department emergency ambulance vehicle:

"(a) Basic Life Support Unit Transport Fee – A fee of two hundred sixty-eight dollars (\$268.00) shall be charged for the transportation of each person in any ambulance staffed by an Emergency Medical Technician, and Emergency Medical Technician/Driver or a Paramedic who administers basic life support to the person or persons being transported; and

"(b) Advanced Life Support Unit Transport Fee – A fee of four hundred seventy-one (\$471.00) shall be charged for the transportation of each person in any ambulance staffed by Paramedics if advanced life support is actually administered, by such Paramedics, to the person or persons being transported".

Sec. 3006. The Mayor shall explore all reasonable options for billing Medicaid and Medicare for costs of ambulance services. If the Mayor cannot raise \$3.5 million from Medicaid and Medicare billing, the Mayor shall issue rules pursuant to section 502 of the Revenue Act for Fiscal Year 1978, effective April 19, 1977 (D.C. Law 1-124; D.C. Official Code § 5-416), effective October 1, 2008, to increase ambulance fees to an amount sufficient to raise up to \$3.5 million in revenue in fiscal year 2009 and fiscal year 2010. The rules shall be submitted to the Council not later than September 15, 2008.

SUBTITLE C. SURVEILLANCE CAMERAS.

Sec. 3007. Short title.

This subtitle may be cited as the “Homeland Security and Emergency Management Agency Video Surveillance Rules Amendment Act of 2008”.

Sec. 3008. Title II of An Act To authorize the District of Columbia government to establish an Office of Civil Defense, and for other purposes, approved August 11, 1950 (64 Stat. 438; D.C. Official Code § 7-2231.01 *et seq.*), is amended by adding a new section 210 to read as follows:

“Sec. 210. Rules for use of surveillance cameras.

“(a) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules for the use of surveillance cameras and technology in the operation of its Video Interoperability for Public Safety (“VIPS”) program. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within this 45-day review period, the proposed rules shall be deemed disapproved.

“(b) Until rules are issued and approved pursuant to subsection (a) of this section, the use of any video surveillance cameras that are part of the VIPS program shall be governed by the regulations promulgated pursuant to the Use of Closed Circuit Television to Combat Crime Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-284; 54 DCR 938), and published in Chapter 25 of Title 24 of the District of Columbia Municipal Regulations.”.

SUBTITLE D. OFFICE OF ADMINISTRATIVE HEARINGS SPACE ANALYSIS.

Sec. 3009. Short title.

This subtitle may be cited as the “Office of Administrative Hearings Space Analysis Act of 2008”.

Sec. 3010. Space analysis for the Office of Administrative Hearings.

(a) Notwithstanding any other provision of law, the District of Columbia Auditor shall contract for an analysis to identify the space needs of the Office of Administrative Hearings; provided, that the District of Columbia Auditor shall not utilize a subordinate agency to provide or procure this analysis.

(b) The analysis shall be submitted to the Council not later than December 1, 2008.

SUBTITLE E. OFFICE OF ADMINISTRATIVE HEARINGS PAY INCREASE.

Sec. 3011. Short title.

This subtitle may be cited as the “Administrative Law Judge Pay Parity Amendment Act of 2008”.

Sec. 3012. Section 8(a)(11) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.05(a)(11)), is amended by striking the semicolon at the end and inserting the phrase “; provided, that Administrative Law Judges shall receive a minimum annual compensation at that point on the ES-10 pay scale that is equivalent to the mid-point of the LX-2 pay scale;” in its place.

SUBTITLE F. COMMUNITY-BASED VIOLENCE REDUCTION FUND.

Sec. 3013. Short title.

This subtitle may be cited as the “Community-based Violence Reduction Fund”.

Sec. 3014. Establishment of Community-based Violence Reduction Fund.

(a)(1) There is established as a nonlapsing fund the Community-based Violence Reduction Fund (“Fund”).

(2) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The funds in the Fund shall be used only for the purpose of giving grants to community-based organizations in accordance with criteria to be established, and uniformly applied, by the Justice Grants Administration.

(c) Not more than 5% of the total amount of monies in the Community-Based Violence Reduction Fund in any given fiscal year may be used to pay administrative costs necessary to implement the requirements of this section.

SUBTITLE G. PLAN FOR BOYS AND GIRLS CLUBS IN THE DISTRICT OF COLUMBIA.

Sec. 3015. Short title.

This subtitle shall be cited as the “Plan for Boys and Girls Clubs Act of 2008”.

Sec. 3016. Notwithstanding any other provision of law, no funds appropriated in fiscal year 2009 shall be used by or for the Boys and Girls Clubs of Greater Washington (“Clubs”) prior to the approval of a plan for its real property located within the District of Columbia. The Plan shall be prepared by the Clubs and shall ensure the future of the Eastern Branch, Jelleff Branch Clubhouse #8, Mary & Daniel Loughran Clubhouse #10, and the Robert V. Murray Clubhouse #11 as viable facilities to provide recreational, social, educational, and developmental services to all District residents and the communities in which they exist. The plan shall be submitted by the Clubs to the Council and approved by act.

SUBTITLE H. MOTOR VEHICLE THEFT PREVENTION COMMISSION ANNUAL MAXIMUM APPROPRIATIONS.

Sec. 3017. Short title.

This subtitle shall be cited as the “Motor Vehicle Theft Prevention Commission Annual Maximum Appropriations Amendment Act of 2008”.

Sec. 3018. Section 8(a)(2) of the Motor Vehicle Theft Prevention Act of 2008, enacted May 23, 2008 (D.C. Act 17-394) is amended to add a new sentence at the end to read as follows:

“The maximum amount of fines deposited into the Fund from this paragraph shall be \$275,000 in fiscal year 2009, \$750,000 in fiscal year 2010, \$1 million in fiscal year 2011, and increased annually, beginning in fiscal year 2012, by 5%.”.

TITLE IV. PUBLIC EDUCATION SYSTEM

SUBTITLE A. SUPPLEMENTAL EDUCATIONAL PAYMENTS.

Sec. 4001. Short title.

This subtitle may be cited as the “Supplemental Education Payments Amendment Act of 2008”.

Sec. 4002. Section 2401(b)(3)(B) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321 [256]; D.C. Official Code § 38-1804.01 (b)(3)(B)), is amended by striking the phrase “the Mayor and the District of Columbia Council, in consultation with the Board of Education and the Superintendent,” and inserting the phrase “the State Superintendent of Education, with the advice and consent of the District of Columbia Council,” in its place.

SUBTITLE B. EDUCATIONAL SERVICE.

Sec. 4003. Short title.

This subtitle may be cited as the “Educational Service Amendment Act of 2008”.

Sec. 4004. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 801A(b)(2) (D.C. Official Code § 1-608.01a(b)(2)) is amended as follows:

(1) Subparagraph (A)(ii)(III) is amended to read as follows:

“(III) All Educational Service employees within the Office of the State Superintendent of Education.”.

(2) Subparagraph (B) is amended as follows:

(A) Sub-subparagraph (i) is amended by adding the following sentence at the end:

“A person employed by the Office of the State Superintendent of Education (“OSSE”) as of the effective date of the Fiscal Year 2009 Budget Support Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678) (“BSA”), who is not an Excluded Employee, shall be reappointed noncompetitively to the Educational Service, in accordance with subparagraph (A) of this paragraph.”.

(B) Sub-subparagraph (ii) is amended by striking the phrase “Emergency Act,” and inserting the phrase “Emergency Act, or, in the case of employees employed by the OSSE before the effective date of the BSA, within 30 days of the effective date of the BSA,” in its place.

(b) Section 1111(a-1)(3) (D.C. Official Code § 1-611.11 (a-1)(3)) is amended by striking the phrase “transferred from the District of Columbia Public Schools to” and inserting the word “of” in its place.

SUBTITLE C. CHILDCARE FUNDING SUPPORT.

Sec. 4005. Short title.

This subtitle may be cited as the “Childcare Funding Support Amendment Act of 2008”.

Sec. 4006. Section 2(d) of the Day Care Policy Act of 1979, effective September 19, 1979 (D.C. Law 3-16; D.C. Official Code § 4-401(4)), is amended to read as follows:

“(d) The term “Department” means the Executive Office of the Mayor or the Mayor’s designee.”.

SUBTITLE D. CREDENTIAL CERTIFICATION AUTHORITY.

Sec. 4007. Short title.

This subtitle may be cited as the “State Education Office Establishment Amendment Act of 2008”.

Sec. 4008. Section 3 of the State Education Office Establishment Act of 2000, effective October 21, 2000 (D.C. Law 13-176; D.C. Official Code § 38-2602), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Paragraph (15) is amended by striking the word “and”.

(2) Paragraph (16) is amended by striking the phrase “*et seq.*.” and inserting the phrase “*et seq.*.” in its place.

(3) A new paragraph (17) is added to read as follows:

“(17) Have the authority to collect and dedicate fees for state academic credential certifications and general educational development testing as well as for any other state-level education function, as established by the Superintendent by regulation.”.

(b) A new subsection (c) is added to read as follows:

“(c)(1) There is established as a nonlapsing fund the Academic Certification and Testing Fund (“Fund”). All fees collected by the Office of the State Superintendent of Education for state academic credential certifications, general educational development testing, or any other state-level education function established pursuant to subsection (b)(17) of this section shall be deposited into the Fund.

“(2) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of the fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (3) of this

subsection without regard to fiscal year limitation, subject to authorization by Congress.

“(3) The Fund shall be administered by the State Superintendent of Education and shall be used to support the administration of state academic credential certifications, General Educational Development, and other state-level programs.”.

SUBTITLE E. EDUCATIONAL LICENSURE COMMISSION
AUTHORITY.

Sec. 4009. Short title.

This subtitle may be cited as the “Education Licensure Commission Amendment Act of 2008”.

Sec. 4010. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 38-1302) is amended as follows:

(1) Subsection (d)(1) and (2) is amended to read as follows:

“(1) Any entity or person organized or chartered in the District that operates, keeps, or maintains any facility in the District through which educational instruction is offered;

“(2) Any branch, extension, or facility of an entity that operates, keeps, or maintains any facility in the District through which educational instruction is offered, but organized or chartered outside of the District, that furnishes or offers to furnish in the District instruction or educational services leading toward a postsecondary degree, diploma, or certificate; or”.

(2) A new subsection (n) is added to read as follows:

“(n) “Facility” means a physical structure located in the District, including suitable housing, classrooms, laboratories, and library resources, as required by the nature of the program or the student body.”.

(b) Section 9(a)(2) (D.C. Official Code § 38-1309(a)(2)) is amended to read as follows:

“(2) The institution is either organized or chartered in the District of Columbia and operates, keeps, or maintains a facility in the District through which educational instruction is offered, or organized or chartered outside the District of Columbia and is registered as a foreign corporation pursuant to section 99 of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 219; D.C. Official Code § 29-101.99), or section 64 of the District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 290; D.C. Official Code § 29-301.64), and operates, keeps, or maintains a facility in the District through which

educational instruction is offered, or is otherwise properly authorized to do business in the District of Columbia and operates, keeps, or maintains a facility in the District through which educational instruction is offered.”.

SUBTITLE F. RESIDENCY VERIFICATION.

Sec. 4011. Short title.

This subtitle may be cited as the “Residency Verification Amendment Act of 2008”.

Sec. 4012. The District of Columbia Nonresident Tuition Act of 1960, approved September 8, 1960 (74 Stat. 853; D.C. Official Code § 38-302 *et seq.*), is amended as follows:

(a) Section 9 (D.C. Official Code § 38-306) is amended to read as follows:

“Sec. 9. Proof of residency.

“All students enrolled in District of Columbia public schools and public charter schools funded by the District of Columbia or a student for whom educational services are paid by the District of Columbia shall provide proof of residency in the District or pay tuition pursuant to section 2. A determination of residency status shall be made annually for each such student. The methods used to determine residency status shall be consistent across District of Columbia public schools and public charter schools and shall be crafted to facilitate rather than hinder school enrollment of eligible students.”.

(b) Section 11 (D.C. Official Code § 38-308) is amended by striking the phrase “charter school shall be established” and inserting the phrase “charter school funded by the District of Columbia or a student for whom educational services are paid by the District of Columbia shall be established” in its place.

SUBTITLE G. TRUANCY CENTERS.

Sec. 4013. Short title.

This subtitle may be cited as the “Truancy Centers Amendment Act of 2008”.

Sec. 4014. Section 6(a)(1) and (2) of An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes, effective August 25, 1994 (D.C. Law 10-159; D.C. Official Code § 38-251(a)(1) and (2)), is amended to read as follows:

“(a)(1) The Office of the State Superintendent of Education, after consultation with the

District of Columbia Public Schools, the Public Charter School Board, the Child and Family Services agency, and the Metropolitan Police Department, shall establish

truancy centers in the District of Columbia for the delivery of truant public school and public charter school students by the Metropolitan Police Department.

“(2) A law enforcement officer shall take to the nearest truancy center any child who the law enforcement officer has reasonable grounds to believe, based on the child's age and other factors, is truant from a public or public charter school on a day and during the hours when the public or public charter school is in session.”.

SUBTITLE H. UNIFORM PER STUDENT FUNDING FORMULA.

Sec. 4015. Short title.

This subtitle may be cited as the “Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2008”.

Sec. 4016. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code

§ 38-2901 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$8,322.00 per student for fiscal year 2008” and inserting the phrase “\$8,770 per student for fiscal year 2009” in its place.

(b) Section 105 (D.C. Official Code § 38-2904) is amended by striking the tabular array and inserting the following tabular array in its place:

“Grade Level	Weighting	Per Pupil Allocation in FY 2009
“Pre-School	1.34	\$11,752
“Pre-Kindergarten	1.30	\$11,401
“Kindergarten	1.30	\$11,401
“Grades 1-3	1.00	\$8,770
“Grades 4-5	1.00	\$8,770
“Ungraded ES	1.00	\$8,770
“Grades 6-8	1.03	\$9,033
“Ungraded MS/JHS	1.03	\$9,033
“Grades 9-12	1.16	\$10,173
“Ungraded SHS	1.16	\$10,173
“Alternative Program	1.17	\$10,261
“Special ed schools	1.17	\$10,261
“Adult	0.75	\$6,577 .”.

ENROLLED ORIGINAL

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended by striking the tabular array and inserting the following tabular array in its place:

“Special Needs Add-ons:

Level/Program	Definition	Weighting	Per Pupil Supplemental FY 2009
Level 1: Special Education	Eight hours or less per week of specialized services	0.52	\$4560
Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	0.79	\$6,928
Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.36	\$11,927
Level 4: Special Education	More than 24 hours per week which may include instruction in a selfcontained (dedicated) special education school other than residential placement	2.37	\$20,785
LEP/NEP	Limited and non-English proficient students	0.40	\$3,508

ENROLLED ORIGINAL

Summer	An accelerated instructional program in the summer for students who do not meet literacy standards pursuant to promotion policies of the District of Columbia Public Schools and public charter schools	0.17	\$1,491
Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.70	\$14,909
“Residential Add-ons:			
Level/Program	Definition	Weighting	Per Pupil Supplemental FY 2009
Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.374	\$3,280

ENROLLED ORIGINAL

Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.360	\$11,927
Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.941	\$25,793
Level 4: Special Education - Residential	Additional funding to support the after-hours level 4 special instructional needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.924	\$25,643
Level 5: Special Education - Residential	Residential placement	9.40	\$82,438

ENROLLED ORIGINAL

LEP/NEP - Residential	Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.68	\$5,964
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Special Education Add-ons for Students with Extended School Year Indicated in Their Individualized Education Programs (IEPs):

Level/Program	Definition	Weight	Per Pupil Supplemental FY 2009
Special Education Level 1 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.064	\$561
Special Education Level 2 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.231	\$2,027

Special Education Level 3 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.500	\$4,385
Special Education Level 4 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	0.497	\$4,359
Special Education Level 5 ESY	Additional funding to support the summer school/program need for students who require extended school year (ESY) services in their IEPs	1.598	\$14,014

(d) Section 109 (D.C. Official Code § 38-2908) is amended as follows:

(1) Subsection (a) is amended by striking the word “The” and inserting the phrase “Except as provided in subsections (b) and (b-1) of this section, the” in its place.

(2) Subsection (b) is amended by striking the phrase “ FY 2004 and succeeding fiscal years” and inserting the phrase “fiscal year 2004 through fiscal year 2008” in its place.

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

"(b-1) For fiscal year 2009 and succeeding fiscal years, the per pupil facility allowance for Public Charter Schools shall be \$3,109. The facility allowance shall then be multiplied by the number of students estimated to be attending each Public Charter School to determine the actual facility allowance payments to be received by each Public Charter School."

(4) A new subsection (e) is added to read as follows:

“(e) The facilities allowance shall only apply to students receiving instruction at a Public Charter School educational facility or as otherwise approved by the Office of the State Superintendent of Education.”.

SUBTITLE I. OFFICE OF PUBLIC EDUCATION FACILITIES
MODERNIZATION PERSONNEL.

Sec. 4017. Short title.

This subtitle may be cited as the “Office of Public Education Facilities Modernization Personnel Amendment Act of 2008”.

Sec. 4018. Section 702 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-451), is amended by adding a new subsection (e) to read as follows:

“(e)(1) Notwithstanding any other provision of law, the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*) (“CMPA”), shall not apply to employees of the Office of Public Education Facilities Modernization (“OPEFM”); except, that titles V and XVII of the CMPA shall apply. The Director of OPEFM shall be the personnel authority for OPEFM and shall have the authority to promulgate personnel rules and regulations; except, that the Director of OPEFM shall not have the authority to promulgate regulations pursuant to titles V and XVII of the CMPA.

“(2) Until OPEFM establishes a personnel system and promulgates personnel rules and regulations, the CMPA and its rules and regulations, including the District Personnel Manual, shall continue to apply to OPEFM and its employees.”.

Sec. 4019. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 801A(b)(2) (D.C. Official Code § 1-608.01a(b)(2)) is amended as follows:

(1) Subparagraph (A)(ii)(II) is repealed.

(2) Subparagraph (B)(i) is amended by striking the phrase “the Office of the State Superintendent for Education, and the Office of Public Education Facilities Modernization as of the effective date” and by inserting the phrase “the Office of the State Superintendent for Education as of the effective date” in its place.

(3) Subparagraph (C)(i) is amended by striking the phrase “the Office of the State Superintendent for Education, or the Office of Public Education Facilities Modernization who is not” and by inserting the phrase “or the Office of the State Superintendent for Education who is not” in its place.

(b) Section 1111(a-1)(2) (D.C. Official Code § 1-611.11(a-1)(2)) is repealed.

(c) Section 1709(b)(7) (D.C. Official Code § 1-617.09(b)(7)) is amended by striking the phrase “, the Office of the State Superintendent for Education, and the Office of Public Education Facilities Modernization” and inserting the phrase “and the Office of the State Superintendent of Education” in its place.

SUBTITLE J. SCHOOL MODERNIZATION FINANCING.

Sec. 4020. Short title.

This subtitle may be cited as the “School Modernization Financing Amendment Act of 2008”.

Sec. 4021. Section 103 of the School Modernization Financing Act of 2006, effective June 8, 2006 (D.C. Law 16-123; D.C. Official Code § 38-2971.03), is amended as follows:

(a) Subsection (a) is amended by striking the phrase “and to pay for the budget and administrative costs of the Office of Public Education Facilities Modernization”.

(b) Subsection (b) is amended as follows:

(1) Strike the phrase “to fund the OFM and”.

(2) Strike the date “May 31, 2008” and insert the date “September 10, 2008” in its place.

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

“(c-1)(1) Except as provided in paragraph (3) of this subsection, funds provided pursuant to this act shall not be spent for any other purposes than those specified in the work program submitted to the Council on December 3, 2007 (“December submission”), and shall not exceed the amounts specified in the December submission without approval of the Council of an amended work program.

“(2) An amended work program for any revisions in purpose or amount of any project or activity shall be submitted, along with a proposed resolution, to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the amended work program within the 45-day period, by resolution, the amended work program shall be deemed disapproved.

“(3) Notwithstanding the requirements of paragraph (1) of this subsection, funds may be expended on:

“(A) School Consolidation, including PreK-8 Renovation, Receiving School Blitz, Relocation, and Furniture Fixtures and Equipment, not to exceed \$92 million, except as additional funds may be necessary to provide for an increase in Pre-Kindergarten enrollment;

“(B) School Stabilization; including General Improvements,

A/C

and Electrical Upgrades, Boiler Readiness, Roof Repairs, Life/Safety Code, Program Management, and ADA Compliance, not to exceed \$120 million;

“(C) School Modernizations, as set forth on pages 100-119 of the December submission, not to exceed \$434.5 million in addition to intra-District transfers;

“(D) Technology development, pursuant to an intra-District agreement between OFM and the Office of the Chief Technology Officer, not to exceed \$ 15 million;

“(E) Athletic Facilities, not to exceed \$36 million; and

“(F) Such amounts as may be necessary to pay the U.S. Corps of Engineers for prior work.”.

(d) Subsection (d) is amended as follows:

(1) Paragraph (1) is amended to read as follows:

“(1) The Chief Financial Officer shall provide authority to obligate funds to the OFM to modernize and make capital improvements to District of Columbia Public Schools under this subtitle if:

“(A) The Facilities Master Plan is submitted as required by subsection (b) of this section and certified as required by paragraph (2) of this subsection; or

“(B) The work program is submitted as required by subsection (c) or subsection (c-1), if applicable, of this section and certified as required by paragraph (2) of this subsection.

(2) Paragraph (2) is amended by striking the phrase “(b) or (c) of this section” and inserting the phrase “(b), (c), or (c-1) of this section” in its place.

SUBTITLE K. PUBLIC CHARTER SCHOOL BOARD.

Sec. 4022. Short title.

This subtitle may be cited as the “Public Charter School Board Fiscal Responsibility Amendment Act of 2008”.

Sec. 4023. Section 2204(c) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321 [238]; D.C. Official Code § 38-1802.04(c)), is amended by adding a new paragraph (21) to read as follows:

“(21) *Distribution of funds.* - Funds that have not been provided for in an approved financial plan shall not be distributed to any public charter school.”.

TITLE V. HUMAN SUPPORT SERVICES
SUBTITLE A. CHOICE IN DRUG TREATMENT.

Sec. 5001. Short title.

This subtitle may be cited as the “Choice in Drug Treatment Amendment Act of 2008”.

Sec. 5002. The Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3001 *et seq.*), is amended as follows:

(a) A new section 4a is added to read as follows:

“Sec. 4a. Establishment of the Access to Recovery Voucher program.

“(a) There is established the Access to Recovery Voucher Program (“ATR”), which shall be administered by APRA. The purpose of ATR shall be to provide District residents with access to culturally sensitive substance-abuse treatment and recovery-support services for the duration of the 3-year federal Access to Recovery grant awarded to APRA and to serve as an addition and complement to the Choice in Drug Treatment Program, established by section 4.

“(b) The duty of APRA to administer ATR shall include:

“(1) Community outreach and education;

“(2) Collaborating with federal and local agencies in regard to individuals returning to the community after being incarcerated who require substance-abuse treatment or recovery-support services; and

“(3) Ensuring that ATR achieves the projected target of serving over 11,000 individuals.”.

(b) Section 5 (D.C. Official Code § 7-3004) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “The Fund shall be comprised” and inserting the phrase “Except as provided in subsection (a-1) of this section, the Fund shall be comprised” in its place.

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

“(a-1) There is established within the Fund a segregated account to be known as the ATR Account, into which shall be deposited the federal grant funds awarded to APRA for ATR, to be expended solely for the purposes of ATR, in accordance with federal requirements and regulations promulgated to implement this act.”.

(3) Subsection (b) is amended by striking the phrase “The Fund shall be used only for” and inserting the phrase “Except as provided in subsection (a-1) of this section, the Fund shall be used only for” in its place.

(c) Section 16(a) (D.C. Official Code § 7-3015(a)) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

“(2)(A) Except as provided in subparagraph (B) of this paragraph, all rules promulgated pursuant to paragraph (1) of this subsection shall apply to the provisions of the Choice in Drug Treatment Amendment Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678).

“(B) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to apply specifically to the provisions of the Choice in Drug Treatment Amendment Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678). Any such rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution, within this 45-day review period, the proposed rules shall be deemed approved.”.

SUBTITLE B. HOUSING FIRST AND HOMELESS SERVICES REFORM.

Sec. 5003. Short title.

This subtitle may be cited as the “Housing First and Homeless Services Reform Amendment Act of 2008”.

Sec. 5004. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended as follows:

(a) Section 4(b)(2)(I) (D.C. Official Code § 4-752.01(b)(2)(I)) is amended by striking the phrase “District of Columbia Public Schools” and inserting the phrase “Office of the State Superintendent of Education” in its place.

(b) A new section 7a is added to read as follows:

“Sec. 7a. Housing First Fund.

“(a) There is established as a nonlapsing fund the Housing First Fund (“Fund”), which shall be used to provide vulnerable families and individuals who are homeless with supportive services and housing assistance. The Fund shall be administered by the Department of Human Services in concert with a memorandum of understanding with the Department of Housing and Community Development for facility development and acquisition services.

“(b)(1) The Fund shall be comprised of monies appropriated into the Fund, including grants, and revenue generated from the disposition or long-term lease of certain real property assets designated by the Mayor.

“(2) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be

continually available for the uses and purposes set forth in section 7(b)(4) without regard to fiscal year limitation, subject to authorization by Congress.”.

(c) Section 30 (D.C. Official Code § 4-756.01) is amended as follows:

(1) The existing text is designated as subsection (a).

(2) New subsections (b) and (c) are added to read as follows:

“(b) Pursuant to sections 4(17) and 26 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code §§ 6-203(17) and 6-225) (“Housing Authority Act”), the Mayor, or his designee, shall have the authority to enter into an agreement with the District of Columbia Housing Authority to allocate available unexpended funds to meet the purposes of this act and sections 26a and 26b of the Housing Authority Act.

“(c) Contracted case-management services authorized pursuant to the Housing First program shall include contracted case-management services to assist homeless women and working adults residing at the Federal City Shelter.”.

SUBTITLE C. ON-SITE MEAL EXPENSES.

Sec. 5005. Short title.

This subtitle may be cited as the “On-site Meal Expenses Amendment Act of 2008”.

Sec. 5006. Section 105 of the Department of Youth Rehabilitation Services Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-335; D.C. Official Code § 2-1515.05), is amended by adding a new subsection (k) to read as follows:

“(k) The Department may expend funds from its operating budget, as considered necessary, to create, manage, operate, and implement programs and policies that further its objective to provide rehabilitative care and services to detained and committed youth in its care and custody, including spending appropriated funds for on-site employee meals .”.

SUBTITLE D. CHILD SUPPORT EXPEDITED PROCESSES.

Sec. 5007. Short title.

This subtitle may be cited as the “Child Support Expedited Processes Amendment Act of 2008”.

Sec. 5008. Section 27c(c) of the District of Columbia Child Support Enforcement Amendment Act of 1985, effective April 3, 2001 (D.C. Law 13-269; D.C. Official Code § 46-226.03(c)), is amended by striking the phrase “respectively, except that judicial review shall be in the Superior Court” and inserting the word “respectively” in its place.

SUBTITLE E. SUPPORT FOR AT-RISK YOUTH.

Sec. 5009. Short title.

This subtitle may be cited as the “Support for At-Risk Youth Act of 2008”.

Sec. 5010. Chapter 40 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-4002 is amended as follows:

(1) Subsection (b) is amended to read as follows:

“(b) The Children and Youth Investment Trust Corporation (“CYITC”) shall receive, as a grant, all monies that are generated by the tax check-off system established in § 47-1812.11b. The fund shall be administered by the CYITC and shall be used to support purposes consistent with the stated purpose of the fund. The CYITC shall submit an annual financial report to the Mayor and Council of the District of Columbia no later than March 1st of each year.”.

(2) Subsections (c), (d), (e), (f), and (g) are amended by striking the phrase “The Fund” wherever it appears and inserting the phrase “The CYITC” in its place.

(3) Subsection (h) is amended by striking the phrase “by the Fund” and inserting the phrase “by CYITC” in its place.

(b) Sections 47-4003 and 47- 4004 are repealed.

SUBTITLE F. CLOSING MENTAL HEALTH SERVICES GAPS.

Sec. 5011. Short title.

This subtitle may be cited as the “Closing Mental Health Service Gaps Plan Development Act of 2008”.

Sec. 5012. By no later than October 1, 2008, the Director of the Child and Family Services Agency shall submit a spending plan for the \$2.5 million requested in the Mayor’s fiscal year 2009 budget for “Closing Mental Health Service Gaps.”.

SUBTITLE G. DEPARTMENT OF MENTAL HEALTH FUNDING ALLOCATION ACT.

Sec. 5013. Short title.

This subtitle may be cited as the “Department of Mental Health Funding Allocation Act of 2008”.

Sec. 5014. Statement of anticipated funding.

No later than 30 days before the first day of a fiscal year, the Department of Mental Health shall issue to each certified Mental Health rehabilitation services

provider a statement of anticipated annual funding. The statement shall include language that the anticipated funding level is subject to change based upon actual budget availability and at the discretion of the Department of Mental Health.

SUBTITLE H. FIXED COSTS ALLOCATIONS.

Sec. 5015. Short title.

This subtitle may be cited as the “Fixed Costs Allocation Act of 2008”.

Sec. 5016. Fixed costs allocations.

For fiscal year 2009, the Department of Health, the Department of Health Care Finance, and the Department of Mental Health shall not enter into a memorandum of understanding or other similar agreement with another agency of the District of Columbia for the transfer of funds in an amount that exceeds the amount budgeted for such services; provided, that nothing shall prohibit these departments from entering into an agreement for the transfer of funds when the purpose of such transfer is to allow for transition or other costs associated with moving into District-owned property.

SUBTITLE I. REPORTING REQUIREMENTS.

Sec. 5017. Short title.

This subtitle may be cited as the “Reporting Requirements Act of 2008”.

Sec. 5018. Health Professional Recruitment Program report.

By October 1, 2008, the Department of Health shall provide a report to the Council on the status of the Health Professional Recruitment Program, including:

- (1) The number of participants to date, including delineation by health profession, period of service, and service obligation site;
- (2) The number of applicants to date;
- (3) The names of all acceptable service obligation locations in the District of Columbia; and
- (4) The balance and to-date expenditures from the Health Professional Recruitment Fund, established by section 16a of the District of Columbia Health Professional Recruitment Program Act of 2005, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 7-751.16a).

Sec. 5019. Uncompensated care report.

By October 1, 2008, the Department of Health shall provide a report to the Council on the levels of uncompensated care provided by certificate-of-need holders, including:

- (1) The standardized definitions used for the collection of uncompensated care data;
 - (2) An explanation of how each certificate-of-need holder defines each of its charges;
 - (3) The dollar value of uncompensated care each certificate-of-need holder was required to provide;
 - (4) The dollar value of uncompensated care each certificate-of-need holder actually provided, with the dollar value of charity care and bad debt reported separately;
 - (5) The dollar value of services and care provided to District residents;
- and
- (6) The reason provided by a certificate-of-need holder, if the certificate-of-need holder failed to provide the required level of uncompensated care.

Sec. 5020. Medicaid revenue maximization report.

By October 1, 2008, the Department of Health Care Finance shall report to the Council on all efforts to maximize allowable Medicaid reimbursement revenue for health and mental-health services provided as part of school-based programs.

Sec. 5021. School-based, mental-health services report.

By January 1, 2009, the Department of Mental Health shall report to the Council on the status of the school mental-health program, including:

- (1) Efforts to expand into at least 58 schools for fiscal year 2009 through implementation of a new service-delivery model;
- (2) Efforts to bill Medicaid for eligible mental-health services delivered as part of school-based programs; and
- (3) Coordination with other District agencies on expansions to school-based, mental-health services.

Sec. 5022. Community Services Agency governance report.

(a) By October 1, 2008, the Department of Mental Health shall report to the Council on recommendations for a new governance structure for the DC Community Services Agency within the Department of Mental Health.

(b) By December 31, 2008, the Department of Mental Health shall submit to the Council a plan for implementation of any recommendations for a new governance structure for the DC Community Services Agency within the Department of Mental Health. The plan shall require full implementation to be completed by September 30, 2009.

Sec. 5023. Addiction Prevention and Recovery Administration service delivery.

By October 1, 2008, the Department of Health shall provide a report to the Council on its efforts to discontinue direct-service delivery of methadone-maintenance programs by September 30, 2008.

SUBTITLE J. HEALTH BENEFITS BILL OF RIGHTS.

Sec. 5024. Short title.

This subtitle may be cited as the "Health Benefits Plan Members Bill of Rights Amendment Act of 2008".

Sec. 5025. Section 101(1) of the Health Benefits Plan Members Bill of Rights Act of 1998, effective April 27, 1999 (D.C. Law 12-274; D.C. Official Code § 44-301.01), is amended to read as follows:

"(1) "Director" means the Director of the Department of Health Care Finance."

SUBTITLE K. NURSING FACILITY QUALITY OF CARE FUND.

Sec. 5026. Short title.

This subtitle may be cited as the "Nursing Facility Quality of Care Act of 2008".

Sec. 5027. Section 47-1263(a) of the District of Columbia Official Code is amended as follows:

(a) The lead-in language is amended by striking the phrase "assessment of 6% per annum" and inserting the phrase "assessment of up to 6% per annum" in its place.

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

"(2) For fiscal year 2006 and each succeeding fiscal year, the Mayor shall determine the uniform amount per licensed bed by rules issued pursuant to § 47-1267."

SUBTITLE L. EFFI SLAUGHTER BARRY INITIATIVE FUND.

Sec. 5028. Short title.

This subtitle may be cited as the "Effi Slaughter Barry HIV/AIDS Initiative Amendment Act of 2008".

Sec. 5029. The Effi Slaughter Barry HIV/AIDS Initiative Act of 2008, effective March 20, 2008 (D.C. Law 17-117; D.C. Official Code § 7-1611 *et seq.*), is amended by adding a new section 7a to read as follows:

“Sec. 7a. Effi Slaughter Barry Initiative Fund; establishment, purpose.

“(a) There is established as a nonlapsing fund the Effi Slaughter Barry Initiative Fund (“Fund”), which shall be a segregated account within the General Fund of the District of Columbia and shall be used solely for the purpose of supporting the initiative.

“(b) The Fund shall be administered by the Department of Health.

“(c) The Mayor shall deposit into the Fund all general revenue funds appropriated in the budget submitted pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), and authorized by Congress for the purpose of the initiative.

“(d) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in this section without regard to fiscal year limitation, subject to authorization by Congress.”.

SUBTITLE M. DRUG TREATMENT CHOICE.

Sec. 5030. Short title.

This subtitle may be cited as the “Choice in Drug Treatment Maximum Benefit Amendment Act of 2008”.

Sec. 5031. Section 9(b) of the Choice in Drug Treatment Act of 2000, effective July 18, 2000 (D.C. Law 13-146; D.C. Official Code § 7-3008(b)), is amended to read as follows:

“(b)(1) A client with no dependent children shall receive a maximum of up to \$20,000 per year, subject to the availability of funds in the Fund. A client with a dependent child shall receive a maximum of up to \$40,000 per year, subject to the availability of funds in the Fund and the discretion of the Director of the Department of Health.

“(2) The Director of the Department of Health is authorized to increase the maximum amounts set forth in this subsection to adjust for inflation.”.

SUBTITLE N. HEALTH PROFESSIONAL RECRUITMENT PROGRAM.

Sec. 5032. Short title.

This subtitle may be cited as the “Health Professional Recruitment Program Amendment Act of 2008”.

Sec. 5033. The District of Columbia Health Professional Recruitment Program Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.01 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 7-751.01) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “geographic area” and inserting the phrase “geographic area, population group, or facility” in its place.

(2) Paragraph (6) is amended to read as follows:

“(6) “Other health professional” means a person who has graduated from an accredited program for registered nurses, nurse midwives, certified registered nurse practitioners, dental hygienists, clinical social workers, clinical psychologists, professional counselors, or physician assistants and has completed any required post-graduate training.”.

(3) Paragraph (9) is amended to read as follows:

“(9) “Service obligation site” means:

“(A) A nonprofit entity located in a Health Professional Shortage Area or a Medically Underserved Area within the District of Columbia that provides primary care, mental health, or dental services to District of Columbia residents regardless of their ability to pay;

“(B) A Department of Health program;

“(C) A Department of Mental Health program; or

“(D) Any other District program designated by the Director as a service obligation site.”.

(b) Section 5(a) (D.C. Official Code § 7-751.04(a)) is amended to read as follows:

“(a) Be a citizen or permanent resident of the United States;”.

(c) Section 7(b) (D.C. Official Code § 7-751.06(b)) is amended as follows:

(1) Paragraph (5) is amended by striking the word “and” at the end.

(2) Paragraph (6) is amended by striking the phrase “provider.” and inserting the phrase “provider;” in its place.

(3) New paragraphs (7) and (8) are added to read as follows:

“(7) Applicants who are fluent in Spanish, Chinese, Vietnamese, Korean, or Amharic; and”

“(8) Applicants who have experience at a community-based primary care facility or attended a community-based health profession educational institution.”.

(d) Section 14(b) (D.C. Official Code § 7-751.13(b)) is amended to read as follows:

“(b) A participant found in breach of contract shall repay the District of Columbia for each unfulfilled day of service remaining in the participant’s period of service obligation. The amount of such repayment shall be determined by dividing the

sum amount previously paid to the participant by the number of days of obligated service required for the payment and multiplying the result by the number of unfulfilled days from the time of the breach of contract. This amount shall be paid within one year of the date of the breach of contract, or a longer period as determined by the Director.”.

(e) Section 16a (D.C. Official Code § 7-751.16a) is amended to read as follows:

“Sec.16a . Health Professional Recruitment Fund.

“(a) There is established as a nonlapsing fund the Health Professional Recruitment Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the sole purpose of providing loan repayments pursuant to the Program without regard to fiscal year limitation, subject to authorization by Congress.

“(b) The Mayor shall deposit in the Fund:

“(1) All general revenue funds appropriated by a line item in the budget submitted pursuant to section 446 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 801; D.C. Official Code § 1-204.46), and authorized by Congress for the purpose of the Program;

“(2) All fees and penalties generated pursuant to the Program; and

“(3) Any other funds received on behalf of the Fund for the purpose of the Program.

“(c) The Department of Health shall administer the Fund from its appropriated operating budget.”.

SUBTITLE O. HEALTH CARE PRIVATIZATION AMENDMENT ACT.

Sec. 5034. Short title.

This subtitle may be cited as the “Safety Net Clinics Fee Amendment Act of 2008”.

Sec. 5035. Section 7 of the Health Care Privatization Amendment Act of 2001, effective July 12, 2001 (D.C. Law 14-18; D.C. Official Code § 7-1405), is amended by adding a new subsection (e) to read as follows:

“(e) A health maintenance organization or health insurer under contract to the District to deliver services to persons enrolled in the Alliance (“Contractor”), which shall include safety net clinics, shall have the option of paying the safety net clinics on a fee-for-service basis or a capitated basis. If the Contractor elects to pay on a fee-for-service basis, the Contractor shall pay the safety net clinics no less that \$95 per visit.

If the Contractor elects to pay the safety net clinics on a capitated basis, the Contractor shall pay the safety net clinics on the same terms and condition as other clinics.”.

SUBTITLE P. SCHOOL-BASED MENTAL-HEALTH PROGRAMS.

Sec. 5036. Short title.

This subtitle may be cited as the “School-Based Mental-Health Services Coordination Act of 2008”.

Sec. 5037. By October 1, 2008, the Department of Mental Health shall enter into a memorandum of understanding with the Office of the State Superintendent of Education (“OSSE”) for the transfer of at least \$1 million from the special education reform-Blackman Jones activity within OSSE for purpose of expanding school-based, mental-health services to support secondary and tertiary school-based, mental-health interventions.

SUBTITLE Q. ASSISTANCE FORM STANDARDIZATION.

Sec. 5038. Short title.

This subtitle may be cited as the “Assistance Application Form Standardization Act of 2008”.

Sec. 5039. (a) All District government assistance application forms (“AAF”) for assistance from the District government, or leading to federal or private assistance, shall:

- (1) Require the applicant to state whether he or she is a veteran; and
- (2) Provide contact information for the Office of Veterans Affairs, established by section 703 of the Office of Veterans Affairs Establishment Act of 2001, effective October 3, 2001 (D.C. Law 14-28; D.C. Official Code § 49-1002).

(b)(1) An agency that receives AAFs shall establish a procedure to retain AAFs that indicate that the applicant is a veteran separately from AAFs that do not so indicate.

(2) An agency that receives an AAF that indicates that the applicant is a veteran shall forward this information to the Office of Veterans Affairs for its use and record retention.

(c) Upon the effective date of this subtitle, all agencies shall meet the requirements of this subtitle by providing the required information on the AAF or as an attachment to the AAF.

SUBTITLE R. HEALTHY DC.

Sec. 5040. Short title.

This subtitle may be cited as the “Healthy DC Act of 2008”.

Sec. 5041. Definitions.

For the purposes of this subtitle, the term “health insurer” means any person that provides one or more health benefit plans or insurance in the District of Columbia, including an insurer, a hospital and medical services corporation, a fraternal benefit society, a health maintenance organization, a multiple employer welfare arrangement, or any other person providing a plan of health insurance subject to the authority of the Commissioner of the Department of Insurance, Securities, and Banking.

Sec. 5042. Establishment of Healthy DC Program; administration.

(a) There is established the Healthy DC Program (“Program”), which shall provide affordable health benefits to eligible individuals.

(b) The Program shall be administered by the Department of Health Care Finance, established by the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; 55 DCR 216).

(c) The Program shall be funded through the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02).

(d)(1) The Program shall be subject to the availability of funding.

(2) Nothing in this subtitle shall be construed to create or constitute an entitlement to health insurance or health or medical benefits.

Sec. 5043. Program eligibility.

(a) An individual shall be eligible for the Program if the individual:

(1) Has resided in the District for at least 6 months at the time of application to the Program;

(2) Resides in a household having a gross household income between 200% and 400% of the federal poverty guidelines as updated periodically in the Federal Register by the United States Department of Health and Human Services under the authority of 42 U.S.C. § 9902(2); and

(3) Does not qualify for:

(A) The DC HealthCare Alliance;

(B) Medicare;

(C) Medicaid; or

(D) Other federal health-benefits programs; and

(4)(A) Has not had health insurance during the 6-month period prior to application to the Program;

(B) Has had health insurance during the 6-month period prior to application to the Program but the insurance was terminated due to:

- (i) The loss of employment;
- (ii) A death of a spouse, domestic partner, or family member who maintained the individual as a beneficiary on a health-insurance plan;
- (iii) Changes in student status, including graduation, a leave of absence, or reduction to part-time study;
- (iv) A change of employment to a new employer who does not provide group health insurance;
- (v) A legal annulment, separation, divorce, or the dissolution of a domestic partnership;
- (vi) The loss of financial eligibility under Medicaid or the DC HealthCare Alliance;
- (vii) The cancellation or discontinuation of a group health insurance contract by a health insurer; or
- (viii) Any other reason as determined by the Mayor; or

(C) Has employer-based health insurance but the annual premium cost to the individual is deemed unaffordable, as determined by the Mayor.

(b) Eligibility for the Program shall not be subject to any pre-existing condition exclusions.

Sec. 5044. Program benefits; affordability.

(a) The Program shall provide, at a minimum, health and medical benefits that are equal to those provided to individuals enrolled in the DC HealthCare Alliance.

(b) The Program shall limit annual premium costs to 3% or less of a Program participant's gross income.

Sec. 5045. Program implementation.

(a) The Mayor shall make the Program available to eligible individuals by July 1, 2009.

(b) To meet the deadline set forth in subsection (a) of this section, the Mayor is authorized to enter into a contract with one or more health insurers to administer the Program.

(c) Any contract entered into pursuant to this section shall require annual reporting of clinical-quality measurements and utilization data to the Mayor.

Sec. 5046. Prohibitions.

It shall be unlawful for a health insurer to eliminate or restrict the availability of a health insurance plan offered in the District with the intent of shifting beneficiaries to the Program. An entity found to be in violation of this section shall be subject to a fine of not less than \$10,000.

Sec. 5047. Disposition of fines and penalties.

Fines and penalties collected pursuant to this act shall be deposited in the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02).

Sec. 5048. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this act.

SUBTITLE S. HEALTHY DC FUND.

Sec. 5049. Short title.

This subtitle may be cited as the “Hospital and Medical Services Corporation Regulatory Act Amendment Act of 2008”.

Sec. 5050. Section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 31-3514.02.), is amended to read as follows:

“Sec. 15b. Establishment of Healthy DC Fund.

“(a) There is established as a nonlapsing fund the Healthy DC Fund (“Fund”). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available to support the Healthy DC Program, established by the Healthy DC Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-678)(“Healthy DC Act”) without regard to fiscal year limitation, subject to authorization by Congress.

“(b) There shall be deposited into the Fund:

“(1) All tax revenue generated pursuant to section 15a;

“(2) Any other local funds, including any fees, penalties, or other tax revenue required by District law, including a portion of the premium tax imposed on health maintenance organizations, as required by the Health Maintenance Organization

Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3401 *et seq.*);

“(3) Annual appropriations, if any;

“(4) Federal grant funds;

“(5) All fines and penalties collected pursuant to the Healthy DC Act;

and

“(6) Grants, gifts, or subsidies from public or private sources.”.

SUBTITLE T. MEDICAID STATE PLAN AMENDMENT.

Sec. 5051. Short title.

This subtitle may be cited as the “Medicaid Fee-For-Service State Plan Amendment Act of 2008”.

Sec. 5052. Medicaid fee-for-service rate increases.

By October 1, 2008, the Mayor shall submit to the Council a Medicaid state plan amendment that will increase the specialty physician and primary care physician reimbursement rates under the District Medicaid fee-for-service program to match the specialty physician and primary care physician reimbursement rates under the federal Medicare program.

SUBTITLE U. HEALTHY DC REVENUE.

Sec. 5053. Short title.

This subtitle may be cited as the “Healthy DC Revenue Amendment Act of 2008”.

Sec. 5054. The Health Maintenance Organization Act of 1996, effective April 9, 1997 (D.C. Law 11-235; D.C. Official Code § 31-3401 *et seq.*), is amended by adding a new section 4a to read as follows:

“Sec. 4a. Premium tax.

“(a) Effective January 1, 2009, all health maintenance organizations shall pay to the District of Columbia, for each calendar year, a sum of money as taxes equal to 2% of their policy and membership fees and net premium receipts or consideration received in such calendar year, excluding those fees, receipts, or consideration received pursuant to the District Medicaid program, the DC HealthCare Alliance, any federal employee health-benefit program or Medicare, on all policies or contracts in the District of Columbia. The premium tax shall be in lieu of all other taxes except:

“(1) Taxes upon real estate; and

“(2) Fees and charges provided for pursuant to this act.

“(b) The certificate of authority of any health maintenance organization may be revoked for failure to pay the required premium tax.

“(c) All revenues generated pursuant to this section shall be collected in a manner prescribed by the Mayor.

“(d) Seventy-five percent of the revenue generated pursuant to this section shall be deposited in the Healthy DC Fund, established by section 15b of the Hospital and Medical Services Corporation Regulatory Act of 1996, effective March 2, 2007 (D.C. Law 16-192; D.C. Code § 31-3514.02). The remaining 25% shall be deposited in the General Fund of the District of Columbia.”.

Sec. 5055. Chapters 24 and 26 of Title 47 of the District of Columbia Official Code is amended as follows:

(a)(1) Section 47-2402(a) is amended by striking the phrase “\$.05 for each cigarette.” and inserting the phrase “\$.10 for each cigarette.” in its place.

(2) This subsection shall apply as of October 1, 2008.

(b) Section 47-2608(a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “All such companies” and inserting the phrase “Except as provided in paragraph (1A), all such companies” in its place.

(2) A new paragraph (1A) is added to read as follows:

“(1A)(A) All companies that issue contracts of insurance against accident and loss of health shall pay to the District of Columbia, for each calendar year, a sum of money as taxes equal to 2% of their policy and membership fees and net premium receipts or consideration received in that calendar year on all policies or contracts in the District of Columbia. Such tax shall be in lieu of all other taxes except:

“(i) Taxes upon real estate; and

“(ii) Fees and charges provided for by the insurance

laws of the District.

“(B) This paragraph shall apply as of October 1, 2008.”.

TITLE VI. PUBLIC WORKS

SUBTITLE A. ENVIRONMENTAL HEALTH PROTECTION.

Sec. 6001. Short title.

This subtitle may be cited as the “Transfer of the Lead Poison Prevention Program to the District Department of the Environment Amendment Act of 2008”.

Sec. 6002. Section 103(b)(1)(B)(ii)(II) of the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.03(b)(1)(B)(ii)(II)), is amended by striking the phrase “and control activities” and inserting the phrase “and control activities lead poison prevention program” in its place.

Sec. 6003. Section 707 of Title 14 of the District of Columbia Municipal Regulations is amended as follows:

(a) Subsection 707.4 (14 DCMR § 707.4) is amended by striking the word “The” at the beginning of the introductory sentence and inserting the phrase “Except as provided in subsection 707.8 ,the” in its place.

(b) Section 707.7 (14 DCMR § 707.7) is amended to read as follows:

“Any owner who is served with an order pursuant to this section or subsection 707.8 shall comply with the order within fifteen (15) days of its service upon him or her or shall obtain an extension of the fifteen (15)-day period from the Director of the agency responsible for issuance of the order. No extension shall exceed thirty (30) days, but thirty (30)-day extensions may be renewed at the discretion of the Director of the respective agency.”.

(c) Section 707.8 (14 DCMR § 707.8) is amended to read as follows:

“707.8 The Director of the District Department of the Environment shall be the designated agent of the District of Columbia to inspect any residential premises where there is reason to believe lead may present a health hazard because of the presence of a child under the age of 8 years who lives on the premises or is a regular visitor to the premises who spends a substantial portion of his or her time there. In cases where there is reason to believe that a lead hazard exists, the Director of the District Department of the Environment shall issue orders, as necessary, instead of the agency responsible for enforcement of housing regulations.”.

(d) Section 707.13 (14 DCMR § 707.13) is amended by striking the phrase “Director of the agency responsible for enforcement of the housing regulations” and inserting the phrase “Director of the District Department of the Environment” in its place.

(e) Section 707.14 (14 DCMR § 707.14) is amended by striking the phrase “The Director of the agency responsible for enforcement of the housing regulations” and inserting the phrase “The Director of the District Department of the Environment” in its place.

Sec. 6004. The Mayor may issue rules, as necessary, to make future updates.

SUBTITLE B. DEPARTMENT OF MOTOR VEHICLES INCENTIVE EXEMPTION FOR LEASED VEHICLES AND LOW EMISSION VEHICLES.

Sec. 6005. Short title.

This subtitle may be cited as the “Department of Motor Vehicles Incentive Exemption for Leased Vehicles and Low Emission Vehicles Amendment Act of 2008”.

Sec. 6006. Section 6(j)(3) of the District of Columbia Traffic Act, 1925, effective March 3, 1925 (43 Stat. 1119; D.C. Official Code § 50-2201.03(j)(3)), is amended as follows:

(a) Subparagraph (F) is amended to read as follows:

“(F) Rental or leased motor vehicles or trailers; provided, that the rental or leasing of such vehicles is subject to the gross receipts tax described in section 125(3)(C) of the District of Columbia Sales Tax Act, approved May 27, 1949 (63 Stat. 115; D.C. Official Code § 47-2002(3)(C)).”.

(b) Subparagraph (J) is amended to read as follows:

“(J) Motor vehicles, excluding motorcycles and motorized bicycles, with an estimated average miles per gallon (“MPG”) for city driving at or above 40 MPG, as determined in accordance with 40 CFR §§ 600.001-08, and published in the Fuel Economy Guide by the United States Environmental Protection Agency and the United States Department of Energy or other alternative fueled vehicles as determined by the Department of Motor Vehicles through rulemaking.”.

(c) Subparagraph (O) is repealed.

Sec. 6007. Section 3(b)(1) of the District of Columbia Revenue Act of 1937, approved August 17, 1937 (50 Stat. 680; D.C. Official Code § 50-1501.03(b)(1)), is amended by striking the phrase “A new clean fuel or electric vehicle titled before January 1, 2006 determined by the United States Internal Revenue Service to be eligible for a federal tax deduction or credit pursuant to sections 30 and 179A of the Internal Revenue Code of 1986, approved Oct. 24, 1992 (100 Stat. 3019; 26 U.S.C. §§ 30 and 179A); and a new fuel cell, lean burn technology, hybrid, or alternative fuel motor vehicle titled on or after January 1, 2006; provided, that the owner presents proof, to the satisfaction of the Mayor, that the purchase of the vehicle entitles the owner to a federal tax credit pursuant to the Energy Policy Act of 2005, approved Aug. 8, 2005 (119 Stat. 594; scattered sections of the United States Code)” and inserting the phrase “A new motor vehicle, other than a motorcycle and motorized bicycle, with an estimated average miles per gallon (“MPG”) for city driving at or above 40 MPG, as

determined in accordance with 40 CFR §§ 600.001-08, and published in the Fuel Economy Guide by the United States Environmental Protection Agency and the United States Department of Energy” in its place.

SUBTITLE C. STORM WATER MANAGEMENT AND POLLUTION CONTROL.

Sec. 6008. Short title.

This subtitle may be cited as the “Storm Water Management and Pollution Control Amendment Act of 2008”.

Sec. 6009. Section 216 of the Water and Sewer Authority Establishment and Department of Public Works Reorganization Act of 1996, effective April 18, 1996 (D.C. Law 11-111; D.C. Official Code § 34-2202.16), is amended by adding a new subsection (d-3) to read as follows:

“(d-3) As of October 1, 2008, the Authority shall collect a storm water charge established by the Director of the District Department of the Environment (“Director”), in lieu of the charge prescribed in subsection (d-1) of this section, which charge the Director shall establish by rule and may from time to time amend. A landlord shall not pass a storm water charge to a tenant that is more than the storm water charge prescribed by the Director.”.

SUBTITLE D. DEPARTMENT OF MOTOR VEHICLE LICENSE AND NEW VEHICLE INSPECTION EXTENSION.

Sec. 6010. Short title.

This subtitle may be cited as the “Department of Motor Vehicles Driver License, Special Identification Card, and Vehicle Inspection Amendment Act of 2008”.

Sec. 6011. Section 7(a)(1) of the District of Columbia Traffic Act, 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.01(a)(1)), is amended to read as follows:

“(a)(1) The Mayor is authorized to issue a new or renewed motor vehicle operator’s permit, valid for a period not to exceed 8 years plus any time period prior to the expiration date of a previous license not to exceed 2 months, to any individual 17 years of age or older, subject to the following conditions and any other conditions the Mayor may prescribe to protect the public:”.

Sec. 6012. Section 1 of An Act To provide for annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101(a)), is amended by striking the phrase “valid for a 2-year period” and inserting the phrase “valid for up to a 4-year period” in its place.

Sec. 6013. Title 18 of the District of Columbia Municipal Regulations is amended as follows:

(a) Section 103.8(c) (18 DCMR § 103.8(c)) is amended by striking the figure “\$39” and inserting the figure “\$44” in its place.

(b) Section 112.7 (18 DCMR § 112.7) is amended by striking the phrase “up to five (5)” and inserting the phrase “up to eight (8)” in its place.

(c) Section 601.8 (18 DCMR § 60) is amended by striking the figure “\$25” wherever it appears and inserting the figure “\$35” in its place.

SUBTITLE E. DISTRICT DEPARTMENT OF TRANSPORTATION
UNIFIED FUND.

Sec. 6014. Short title.

This subtitle may be cited as the “District Department of Transportation Unified Fund Amendment Act of 2008”.

Sec. 6015. Section 9c of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11), is amended as follows:

(a) Subsection (b) is amended as follows:

(1) Designate the existing text as paragraph (1).

(2) A new paragraph (2) is added to read as follows:

“(2) Funds from the Unified fund shall be used, on a one-time basis, as follows:

“(A) An amount of up to \$2 million for costs associated with interim libraries; and

“(B) An amount of up to \$300,000 for a school playground.”.

(b) Subsection (c) is amended by adding a new paragraph (8) to read as follows:

“(8) All revenue derived from the recovery of costs associated with the repair and replacement of damaged District Department of Transportation assets that are located in the public space.”.

SUBTITLE F. KLINGLE ROAD.

Sec. 6016. Short title.

This subtitle may be cited as the "Klinge Road Sustainable Development Amendment Act of 2008".

Sec. 6017. Section 2402 of the Klinge Road Restoration Act of 2003, effective November 13, 2003 (D.C. Law 15-39; D.C. Official Code § 9-115.11), is amended to read as follows:

"Sec. 2402. Re-opening of Klinge Road.

"Notwithstanding any other law, the portion of Klinge Road, N.W., between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west, which portion is currently closed to motor vehicle traffic, shall not be re-opened to the public for motor vehicle traffic. No funding, District, federal, or otherwise, shall be expended or accepted for the planning, design, construction, or reconstruction of this portion of Klinge Road for motor vehicle traffic."

Sec. 6018. Specified federal funding allocations for sustainable development at Klinge Road.

The District Department of Transportation shall allocate and use \$2 million from federal aid highway funds available to the District in fiscal year 2009 for the environmental remediation of Klinge Valley and construction of a pedestrian and bicycle trail, subject to the following restrictions:

(1) Existing pavement on Klinge Road, N.W., along the portion between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west, which portion is currently closed to motor vehicle traffic, shall be removed;

(2) Existing storm water and sewage pipes shall be repaired, if necessary, to reduce or eliminate the runoff or discharge of storm water or sewage water into Klinge Valley;

(3) The pedestrian and bicycle trail shall be constructed along the portion of Klinge Road, N.W., between Porter Street, N.W., on the east, to Cortland Place, N.W., on the west;

(4) The right-of-way shall remain closed to motor vehicle traffic;

(5) The pedestrian and bicycle trail shall not exceed 10 feet in width;

and

(6) The pedestrian and bicycle trail shall be surfaced with a water-permeable material."

Sec. 6019. Specified local funding allocation for alley repair.

Of the District funds included in the fiscal year 2009 budget of the District Department of Transportation Unified Fund, established by section 9c of the Department of Transportation Establishment Act of 2002, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 50-921.11), \$2 million proposed for Phase 1 of the reconstruction of Klinge Road, N.W., shall be allocated and used to fund alley repairs, subject to the following restrictions:

- (1) The amount of \$250,000 shall be allocated to each ward of the District; and
- (2) The funds allocated to each ward under paragraph (1) of this section shall then be used first to repair those alleys in that ward designated in "poor" condition by the Mayor.

SUBTITLE G. PEDESTRIAN AND BICYCLE SAFETY AND ENHANCEMENT FUND.

Sec. 6020. Short title.

This subtitle may be cited as the "Pedestrian and Bicycle Safety and Enhancement Fund Establishment Act of 2008".

Sec. 6021. Pedestrian and Bicycle Safety and Enhancement Fund.

(a) There is established as a nonlapsing fund the Pedestrian and Bicycle Safety and Enhancement Fund ("Fund"), which shall be allocated \$1.5 million per fiscal year from the fines generated from the enhanced neighborhood parking control initiative. The Fund shall be used solely for the purposes set forth in subsection (b) of this section and administered by the Office of the Director of the District Department of Transportation ("DDOT").

(b)(1) The Fund shall be used solely to enhance the safety and quality of pedestrian and bicycle transportation, including traffic calming and Safe Routes to School enhancements.

(2) The Director of DDOT shall prioritize resources from the Fund for instances requiring faster or more flexible planning, design, and construction than that which would be accomplished through existing federal and local funding sources.

(c)(1) All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(2) Any funds that are transferred through intra-District transfers and are not expended in a fiscal year shall revert to the Fund.

SUBTITLE H. TARGETED GRANT-MAKING AUTHORITY FOR THE
DIRECTOR OF THE ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION.

Sec. 6022. Short title.

This subtitle may be cited as the “Targeted Grant-Making Authority for the Director of the Alcoholic Beverage Regulation Administration Act of 2008”.

Sec. 6023. Notwithstanding any other provision of law, the Director of the Alcoholic Beverage Regulation Administration shall have the authority to issue grants, as directed in the Fiscal Year 2009 Budget Request Act, passed on final reading on May 13, 2008 (Enrolled version of Bill 17-679) (“Act”), to effectuate the purposes of the Act.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. INCREASE TO THE EARNED INCOME TAX CREDIT.

Sec. 7001. Short title.

This subtitle may be cited as the “Earned Income Tax Credit Act of 2008”.

Sec. 7002. Section 47-1806.04(f)(1) of the District of Columbia Official Code is amended by striking the phrase “35%” and inserting the phrase “40%” in its place.

SUBTITLE B. DEBT SERVICE SUPPORT.

Sec. 7003. Short title.

This subtitle may be cited as the “Dedicated Tax and Other Type Revenue Debt Service Support Act of 2008”.

Sec. 7004. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for subchapter IV-A is amended by adding a new section designation to read as follows:

“47-368.05. Deposit of revenues dedicated to debt service.”.

(b) Subchapter IV-A is amended by adding a new section 47-368.05 to read as follows:

“§ 47-368.05. Deposit of revenues dedicated to debt service.

“Notwithstanding any other law, excluding funds expressly exempted by the Chief Financial Officer, revenues dedicated by law to specific funds, shall, whenever a portion of those funds is budgeted to pay debt service, first be deposited into the General Fund of the District of Columbia to pay such debt service. After sufficient revenues have been deposited for debt service, any additional revenues shall then be

deposited into the specific funds. Any revenues deposited, but unexpended for debt service shall be deposited in the specific funds at the end of the fiscal year.”.

SUBTITLE C. COMMERCIAL REAL PROPERTY TAX RELIEF.

Sec. 7005. Short title.

This subtitle may be cited as the “Commercial Real Property Tax Relief Act of 2008”.

Sec. 7006. Section 47-812(b-9) of the District of Columbia Official Code is amended to read as follows:

“(b-9)(1) Notwithstanding the provisions of subsection (a) of this section, the sum of the real property tax rates and special real property tax rates for taxable Class 2 Properties in the District of Columbia for the tax year beginning October 1, 2008, shall be:

“(A) For the first \$3 million of assessed value, \$1.65 of each \$100 of assessed value; and

“(B) For the portion of the assessed value exceeding \$3 million, \$1.85 of each \$100 of assessed value.

“(2)(A) Notwithstanding the provisions of subsection (a) of this section, the sum of the real property tax rates and special real property tax rates for taxable Class 2 Property in the District of Columbia for the tax year beginning October 1, 2009, and each tax year thereafter, shall be:

“(i) For the first \$3 million of assessed value, the rate as established in subparagraph (B) of this paragraph; and

“(ii) For the portion of the assessed value exceeding \$3 million, \$1.85 of each \$100 of assessed value.

“(B)(i) The Chief Financial Officer shall compute the real property tax rate for the first \$3 million of assessed value for taxable Class 2 Properties in the District of Columbia, for the tax year beginning October 1, 2009, as follows:

“(I) The Chief Financial Officer shall subtract \$1,312,793,900 from the estimated real property taxes to be collected for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value.

“(II) The Chief Financial Officer shall compute the real property tax rate (rounded up to the nearest penny) for the first \$3 million of assessed value for taxable Class 2 Properties by taking the amount yielded by sub-subparagraph (I) of this sub-subparagraph and, if it is a positive number, applying this amount to reduce the real property tax rate; provided, that the real property tax rate shall not be less than \$.90 of each \$100 of assessed value.

“(ii) The Chief Financial Officer shall compute the real

property tax rate for the first \$3 million of assessed value for taxable Class 2 Properties in the District of Columbia, for the tax year beginning October 1, 2010, and each tax year thereafter, as follows:

“(I) The Chief Financial Officer shall multiply the total amount of taxes received for taxable Class 2 Properties in the District of Columbia for the prior fiscal year by 110%.

“(II) The Chief Financial Officer shall subtract the amount yielded by sub-sub-paragraph (I) of this sub-paragraph from the estimated real property taxes to be collected for Class 2 Properties based upon a rate of \$1.85 of each \$100 of assessed value.

“(III) The Chief Financial Officer shall compute the real property tax rate (rounded up to the nearest penny) for the first \$3 million of assessed value for taxable Class 2 Properties by taking the amount yielded by sub-sub-paragraph (II) of this sub-paragraph and, if it is a positive number, applying this amount to reduce the real property tax rate; provided, that the real property tax rate shall not be less than \$.90 of each \$100 of assessed value.

“(iii) Before September 16 of each year, the Chief Financial Officer shall submit to the Council the real property tax rate computed under this subparagraph.

“(3) The real property tax rate computed in paragraph (2) of this subsection shall only reduce the real property tax rate. If revenues increase by less than the amount needed to reduce the real property tax rate, the real property tax rate shall be equal to the real property tax rate of the prior fiscal year.”.

SUBTITLE D. OTHER POST-EMPLOYMENT BENEFITS.

Sec. 7007. Short title.

This subtitle may be cited as the "Other Post-Employment Benefits Eligibility Act of 2008".

Sec. 7008. Section 2109 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27; D.C. Official Code § 1-621.09), is amended by adding a new subsection (e) to read as follows:

"(e) Notwithstanding the other provisions of this act, the Mayor may issue rules to establish vesting requirements for the provision of other post-employment benefits to annuitants. Any proposed rules promulgated by the Mayor shall be submitted to the Council for a 60-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules within the 60-day period, by resolution, the proposed

rules shall be deemed disapproved."

SUBTITLE E. CIGARETTE STAMP.

Sec. 7009. Short title.

This subtitle may be cited as the "Cigarette Stamp Clarification Act of 2008".

Sec. 7010. The second sentence of section 47-2402(c) of the District of Columbia Official Code is amended to read as follows: "Such stamps shall be affixed to the original packages of cigarettes included in the directory of Tobacco Product Manufacturers maintained pursuant to § 7-1803.03(b) and shall be cancelled in the manner prescribed by the Mayor."

SUBTITLE F. GOLDEN RULE PLAZA, INC.

Sec. 7011. Short title.

This subtitle may be cited as the "Golden Rule Plaza, Inc., Real Property Tax Exemption and Real Property Tax Relief Act of 2008".

Sec. 7012. Chapter 10 of Title 47 of the District of Columbia Code is amended as follows:

(a) The table of contents is amended by adding a new section designation to read as follows:

"47-1079. Golden Rule Plaza, Inc., Lots 837, 841, and 842, Square 525, and Lot 840, Square 526."

(b) A new section 47-1079 is added to read as follows:

"§ 47-1079. Golden Rule Plaza, Inc., Lots 837, 841, and 842, Square 525, and Lot 840, Square 526.

"The real properties described as Lots 837, 841, and 842, Square 525, and Lot 840, Square 526, owned by Golden Rule Plaza, Inc., a nonprofit corporation, shall be exempt from all taxation for a period of 15 years so long as these real properties continue to be owned by Golden Rule Plaza, Inc., and are not used for commercial purposes, subject to the provisions of §§ 47-1005, 47-1007, and 47-1009."

Sec. 7013. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against Golden Rule Plaza, Inc., from the period beginning December 1, 2005, on real property located at Lots 837 and 842, Square 525, and Lot 840, Square 526, and, from the period beginning October 1, 2006, for real property located at Lot 841, Square 525, be forgiven and any payments already made for these periods be refunded.

SUBTITLE G. BOARD OF REAL PROPERTY ASSESSMENTS AND APPEALS.

Sec. 7014. Short title.

This subtitle may be cited as the “Board of Real Property Assessments and Appeals Compensation Act of 2008”.

Sec. 7015. Section 47-825.01(a)(5) of the District of Columbia Official Code is amended by striking the phrase “\$35 per meeting” and inserting the phrase “\$50 per hour” in its place.

Sec. 7016. Applicability.

This subtitle shall apply as of October 1, 2007.

SUBTITLE H. TAX INCREMENT FINANCING REAUTHORIZATION.

Sec. 7017. Short title.

This subtitle may be cited as the “Tax Increment Financing Reauthorization Amendment Act of 2008”.

Sec. 7018. Section 3(b) of the Tax Increment Financing Authorization Amendment Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.02(b)), is amended by striking the phrase “January 1, 2008” and inserting the phrase “January 1, 2010” in its place.

Sec. 7019. Applicability.

This subtitle shall apply as of January 1, 2008.

SUBTITLE I. VERIZON CENTER RECORDATION TAX.

Sec. 7020. Short title.

This subtitle may be cited as the “Verizon Center Recordation Tax Clarification Amendment Act of 2008”.

Sec. 7021. Subsection 3(a) of the Arena Tax Amendment Act of 1994, effective September 28, 1994 (D.C. Law 10-189; 41 DCR 5357), is amended by striking the phrase “taxation and” and inserting the phrase “taxation, recordation tax, and” in its place.

Sec. 7022. Applicability.

This subtitle shall apply as of July 12, 2007.

**SUBTITLE J. ELIMINATION OF SUBJECT-TO -APPROPRIATIONS
CONTINGENCIES FOR LEGISLATION FUNDED IN FISCAL YEAR 2009.**

Sec. 7023. Short title.

This subtitle may be cited as the "Elimination of Subject-to-Appropriations Contingencies Amendment Act of 2008".

Sec. 7024. Section 1501 of the Assisted Living Residence Regulatory Act of 2000, effective June 24, 2000 (D.C. Law 13-127; D.C. Official Code § 44-114.01), is repealed.

Sec. 7025. Section 3(b) of the School Proximity Traffic Calming Act of 2000, effective May 23, 2000 (D.C. Law 13-111; 47 DCR 2206), is amended by striking the sentence "The appropriation is expected to be included in subsequent fiscal year budgets."

Sec. 7026. Section 7 of the Safe Needle Act of 2000, effective April 4, 2001 (D.C. Law 13-272; D.C. Official Code § 7-2856), is repealed.

Sec. 7027. Section 18 of the Emergency Medical Services Non-Resuscitation Procedures Act of 2000, effective April 3, 2001 (D.C. Law 13-224; D.C. Official Code § 7-651.17), is repealed.

Sec. 7028. Section 3 of the School Governance Charter Amendment Act of 2000, effective July 7, 2000 (D.C. Law 13-159; 47 DCR 2212), is repealed.

Sec. 7029. Section 3 of the Tax Expenditure Budget Review Act of 2000, effective October 4, 2000 (D.C. Law 13-161; 47 DCR 5805), is repealed.

Sec. 7030. Section 6 of the Newborn Hearing Screening Act of 2000, effective April 4, 2001 (D.C. Law 13-276; 48 DCR 1865), is amended by striking the sentence "This act is subject to the availability of appropriations."

Sec. 7031. Section 305 of the New E-Conomy Transformation Act of 2000, effective April 3, 2001 (D.C. Law 13-256; 48 DCR 730), is repealed.

Sec. 7032. Section 5 of the Child and Family Services Agency Establishment Amendment Act of 2000, effective April 4, 2001 (D.C. Law 13-277; 48 DCR 2043), is repealed.

Sec. 7033. Section 3 of the Earned Income Tax Credit Act of 2001, effective September 6, 2001 (D.C. Law 14-22; D.C. Official Code § 47-1806.04, note), is repealed.

Sec. 7034. Section 3 of the Office of Employee Appeals Attorney Fees Clarification Amendment Act of 2002, effective June 28, 2002 (D.C. Law 14-166; D.C. Official Code § 1-606.08, note), is repealed.

Sec. 7035. Section 1103 of the Housing Act of 2002, effective April 19, 2002 (D.C. Law 14-114; 49 DCR 1468), is repealed.

Sec. 7036. Section 22 of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.19), is repealed.

Sec. 7037. Section 5 of the Improved Child Abuse Investigations Amendment Act of 2002, effective October 19, 2002 (D.C. Law 14-206; 49 DCR 7815), is repealed.

Sec. 7038. Section 3 of the Child and Family Services Agency Licensure Exemption of Certain Court Personnel Amendment Act of 2001, effective March 19, 2002 (D.C. Law 14-94; D.C. Official Code § 4-1303.02a, note), is repealed.

Sec. 7039. Section 641 of the Omnibus Public Safety Agency Reform Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; 51 DCR 9406), is repealed.

Sec. 7040. Section 3 of the Police and Firemen's Service Longevity Amendment Act of 2004, effective March 30, 2004 (D.C. Law 15-125; 51 DCR 1545), is repealed.

Sec. 7041. Section 5 of the Crispus Attucks Development Corporation Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 22, 2004 (D.C. Law 15-142; D.C. Official Code § 47-1057, note), is repealed.

Sec. 7042. Section 4 of the Southeast Neighborhood House Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-264; 52 DCR 241), is repealed.

Sec. 7043. Section 3 of the CareFirst Economic Assistance Act of 2004, effective April 5, 2005 (D.C. Law 15-265; 52 DCR 464), is repealed.

Sec. 7044. Section 2(a) of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071(a)), is amended by striking the phrase “act, subject to authorization by Congress in an appropriations act.” and inserting the phrase “act.” in its place.

Sec. 7045. Section 3 of the Long-Term Care Insurance Tax Deduction Act of 2004, effective April 12, 2005 (D.C. Law 15-330; D.C. Official Code § 47-1803.03, note), is repealed.

Sec. 7046. Section 14 of the Health Care Ombudsman Program Establishment Act of 2004, effective April 12, 2005 (D.C. Law 15-331; D.C. Official Code § 7-2071.13), is repealed.

Sec. 7047. Section 9 of the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1937), is repealed.

Sec. 7048. Section 1301(b) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1213.01(b)), is repealed.

Sec. 7049. Section 3 of the Equity in Real Property Tax Assessment Act of 2004, effective April 5, 2005 (D.C. Law 15-272; 52 DCR 823), is repealed.

Sec. 7050. Section 3 of the Sexual Minority Youth Assistance League Equitable Real Property Tax Relief Act of 2004, effective April 22, 2004 (D.C. Law 15-143; 51 DCR 2591), is repealed.

Sec. 7051. Section 4 of the Owner-Occupant Residential Tax Credit and Exemption Act of 2004, effective April 22, 2004 (D.C. Law 15-135; 51 DCR 1843), is repealed.

Sec. 7052. Section 3 of the Public Charter School Real Property Tax Rebate Act of 2004, effective April 5, 2005 (D.C. Law 15-275; D.C. Official Code § 47-867, note), is repealed.

Sec. 7053. Section 3 of the American College of Cardiology and the American College of Cardiology Foundation Real Property Tax Exemption Act of 2004, effective September 8, 2004 (D.C. Law 15-186; D.C. Official Code § 47-1059, note), is repealed.

Sec. 7054. Section 4 of the Bread For The City Community Garden Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-283; 52 DCR 853), is repealed.

Sec. 7055. Section 603 of the Child and Youth, Safety and Health Omnibus Amendment Act of 2004, effective April 13, 2005 (D.C. Law 15-353; 52 DCR 2331), is repealed.

Sec. 7056. Section 4 of the Capitol Hill Community Garden Land Trust Real Property Tax Exemption and Equitable Real Property Tax Relief Act of 2004, effective April 5, 2005 (D.C. Law 15-284; D.C. Official Code § 47-1061, note), is repealed.

Sec. 7057. Section 3 of the Ceremonial Funds Amendment Act of 2004, effective March 17, 2005 (D.C. Law 15-258; 52 DCR 1176), is repealed.

Sec. 7058. Section 6018 of the Fiscal Year 2005 Budget Support Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 34-2157), is repealed.

Sec. 7059. Section 3 of the Jenkins Row Economic Development Act of 2004, effective April 8, 2005 (D.C. Law 15-294; 52 DCR 1476), is repealed.

Sec. 7060. Section 4 of the Douglass Knoll, Golden Rule, 1728 W Street, and Wagner Gainesville Real Property Tax Exemption Act of 2004, effective April 12, 2005 (D.C. Law 15-336; 52 DCR 2036), is repealed.

Sec. 7061. Section 3 of the Tax Abatement Adjustment for Housing Priority Area Act of 2004, effective April 12, 2005 (D.C. Law 15-329; 52 DCR 1975), is repealed.

Sec. 7062. Section 3 of the National Park Trust Equitable Real Property Tax Relief Act of 2004, effective April 12, 2005 (D.C. Law 15-338; 52 DCR 2281), is repealed.

Sec. 7063. Section 301 of the Enhanced Professional Security Amendment Act of 2006, effective November 16, 2006 (D.C. Law 16-187; 53 DCR 6722), is repealed.

Sec. 7064. Section 205(g)(2) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3502.05(g)(2)), is amended by striking the phrase “Subject to appropriation, the” and inserting the word “The” in its place.

Sec. 7065. Section 5 of the Abatement of Nuisance Construction Projects Amendment Act of 2005, effective October 18, 2005 (D.C. Law 16-24; 52 DCR 8080), is repealed.

Sec. 7066. Section 3 of the Health Care Benefits Expansion Amendment Act of 2006, effective April 4, 2006 (D.C. Law 16-82; D.C. Official Code § 32-706, note), is repealed.

Sec. 7067. Section 3 of the Stevie Sellows Intermediate Care Facility for the Mentally Retarded Quality Improvement Act of 2005, effective March 8, 2006 (D.C. Law 16-68; D.C. Official Code § 47-1270, note), is repealed.

Sec. 7068. The Fiscal Year 2006 Budget Support Act of 2005, effective October 20, 2005 (D.C. Law 16-33; 52 DCR 7503), is amended as follows:

(a) Section 1017 is amended as follows:

(1) Subsection (a) is amended by striking the phrase “2005; provided, that the condition in subsection (b) of this section is met prior to September 30, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsection (b) is repealed.

(b) Section 1082(d) (D.C. Official Code § 47-864(d)) is repealed.

(c) Section 1263 (D.C. Official Code § 47-812, note) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “2005; provided, that the condition in subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1262 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsections (b) and (c) are repealed.

(d) Section 1264 (D.C. Official Code § 47-812, note) is repealed.

(e) Section 1277 (D.C. Official Code § 47-820.01, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase “2005; provided, that the condition in subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1276 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsection (b) is repealed.

(f) Section 1282 (D.C. Official Code § 47-813, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase “2005; provided, that the condition in subsection (b) of this subsection is met prior to February 15, 2006; provided further, that section 1281 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this subsection is met after February 14, 2006 and prior to August 5, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsection (b) is repealed.

(g) Section 1283 (D.C. Official Code § 47-813, note) is repealed.

(h) Section 1287 (D.C. Official Code § 47-864, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase “2005; provided, that the condition in subsection (b) of this section is met prior to February 15, 2006; provided further, that section 1286 shall apply for the second half of fiscal year 2006 if the condition of subsection (b) of this section is met after February 14, 2006 and prior to August 5, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsection (b) is repealed.

(i) Section 1288 (D.C. Official Code § 47-864, note) is repealed.

(j) Section 1292(b) (D.C. Official Code § 47-1803.02, note) is repealed.

(k) Section 1293 (D.C. Official Code § 47-1803.02, note) is repealed.

(l) Section 1298 (D.C. Official Code § 47-850, note) is amended as follows:

(1) Subsection (a) is amending by striking the phrase “2005; provided, that condition in subsection (b) of this section is met prior to February 15, 2006; provided further, that section 1296 shall apply for the second half of Fiscal Year 2006 if the condition of subsection (b) of this section is met after February 14, 2006 and prior to August 5, 2006.” and inserting the phrase “2005.” in its place.

(2) Subsection (b) is repealed.

(m) Section 1299 (D.C. Official Code § 47-850, note) is repealed.

Sec. 7069. Section 3 of the District Government Injured Employee Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-231; 54 DCR 365), is repealed.

Sec. 7070. Section 601 of the Homeland Security, Risk Reduction, and Preparedness Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-262; 54 DCR 794), is repealed.

Sec. 7071. Section 4 of the Targeted Historic Preservation Assistance Amendment Act of 2006, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02, note), is repealed.

Sec. 7072. Section 4 of the National Community Reinvestment Coalition Real Property Tax Exemption Act of 2005, effective March 8, 2006 (D.C. Law 16-60; 53 DCR 19), is repealed.

Sec. 7073. Section 18 of the District of Columbia Health Professional Recruitment Program Act of 2005, effective March 8, 2006 (D.C. Law 16-71; D.C. Official Code § 7-751.17), is repealed.

Sec. 7074. Section 7 of the Office and Commission on African Affairs Act of 2006, effective June 8, 2006 (D.C. Law 16-111; D.C. Official Code § 2-1396), is repealed.

Sec. 7075. Section 15 of the Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01, note), is repealed.

Sec. 7076. Section 4(1) of the New Columbia Community Land Trust 20th and Channing Streets, N.E. Tax Exemption Act of 2006, effective June 16, 2006 (D.C. Law 16-131; D.C. Official Code § 47-1072, note), is repealed.

Sec. 7077. Section 4 of the Square 2910 Residential Development Stimulus Act of 2006, effective March 6, 2007 (D.C. Law 16-226; 54 DCR 10238), is repealed.

Sec. 7078. Section 10 of the District of Columbia Poverty Lawyer Loan Assistance Repayment Program Act of 2006, effective March 2, 2007 (D.C. Law 16-203; D.C. Official Code § 1-308.29), is repealed.

Sec. 7079. Section 1043 of the Fiscal Year 2007 Budget Support Act of 2006, effective March 2, 2007 (D.C. Law 16-192; 54 DCR 6899), is repealed.

Sec. 7080. Section 3 of the Organ and Bone Marrow Donor Act of 2006, effective March 6, 2007 (D.C. Law 16-211; D.C. Official Code § 47-1807.08, note), is repealed.

Sec. 7081. Section 3(b) and (c) of the Washington Stage Guild Tax Exemption Act of 2006, effective September 26, 2006 (D.C. Law 16-172; D.C. Official Code § 47-1074, note), are repealed.

Sec. 7082. Section 302 of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; 54 DCR 880), is repealed.

Sec. 7083. Section 10 of the Disability Rights Protection Act of 2006, effective March 8, 2007 (D.C. Law 16-239; D.C. Official Code § 2-1431.01, note), is repealed.

Sec. 7084. Section 5 of the Office on Ex-Offender Affairs and Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301, note), is repealed.

Sec. 7085. Section 4 of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501, note), is repealed.

Sec. 7086. Section 3(c) of the Domestic Partnerships Joint Filing Act of 2006, effective March 14, 2007 (D.C. Law 16-292; 54 DCR 1080), is repealed.

Sec. 7087. Section 3 of the Mayor and Council Compensation Adjustment and Compensation Advisory Commission Establishment Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-295; D.C. Official Code § 1-611.51, note), is repealed.

Sec. 7088. Section 305 of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; 54 DCR 4099), is repealed.

Sec. 7089. Section 7 of the Human Papillomavirus Vaccination and Reporting Act of 2007, effective July 12, 2007 (D.C. Law 17-10; 54 DCR 5146), is repealed.

Sec. 7090. Section 13 of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.01, note), is repealed.

Sec. 7091. Section 11 of the Bicycle Commuter and Parking Expansion Act of 2007, effective February 2, 2008 (D.C. Law 17-103; 55 DCR 12213), is repealed.

Sec. 7092. Section 4 of the Payday Loan Consumer Protection Amendment Act of 2007, effective November 24, 2007 (D.C. Law 17-42; D.C. Official Code § 28-3301, note), is repealed.

Sec. 7093. Section 11 of the Motor Vehicle Theft Prevention Act of 2008, returned unsigned by the Mayor on May 23, 2008 (D.C. Act 17-394; 55 DCR ____), is repealed.

Sec. 7094. Section 301 of the Jobs for D.C. Residents Amendment Act of 2007, effective February 6, 2008 (D.C. Law 17-108; D.C. Official Code § 1-515.01, note), is repealed.

Sec. 7095. Section 18 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01, note), is repealed.

Sec. 7096. Section 3 of the College Savings Program Increased Tax Benefit Act of 2008, effective May 13, 2008 (D.C. Law 17-153; 55 DCR 3460), is repealed.

Sec. 7097. Section 703(b) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689), is repealed.

Sec. 7098. Section 3 of the Constitution Square Economic Development Act of 2008, effective March 20, 2008 (D.C. Law 17-126; 55 DCR 1520), is repealed.

Sec. 7099. Section 301 of the Disposition and Redevelopment of Lot 854 in Square 441 Approval Act of 2008, effective March 26, 2008 (D.C. Law 17-132; 55 DCR 1668), is repealed.

Sec. 7100. Section 6 of the Compliance Unit Establishment Act of 2008, signed by the Mayor on April 22, 2008 (D.C. Act 17-360; 55 DCR 5390), is repealed.

Sec. 7101. Section 701 of the Pre-k Enhancement and Expansion Amendment Act of 2008, signed by the Mayor on May 23, 2008 (D.C. Act 17-399; 55 DCR ___), is repealed.

Sec. 7102. Section 4 of the Great Streets Neighborhood Retail Priority Areas Approval Resolution of 2007, effective July 10, 2007 (Res. 17-257; 54 DCR 7194), is repealed.

Sec. 7103. Section 3(b) of the Council Office of Tax and Revenue Investigation Special Committee Establishment Emergency Resolution of 2007, effective November 20, 2007 (Res. 17-440; 54 DCR 11473), is amended by striking the phrase “Subject to the availability of funds, the” and inserting the word “The” in its place.

SUBTITLE K. STATEHOOD DELEGATION TAX CHECK-OFF.

Sec. 7104. Short title.

This subtitle may be cited as the “District of Columbia Statehood Delegation Fund Tax Check-off Act of 2008”.

Sec. 7105. Section 47-1812.11c of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase “The funds” and inserting the phrase “Except as provided in subsection (b-1) of this section, the funds” in its place.

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

“(b-1)(1) Until the District of Columbia Statehood Delegation Fund Commission, established by section 12 of the District of Columbia Statehood Constitutional Convention Initiative of 1979, effective March 16, 2005 (D.C. Law 15-226; D.C. Official Code § 1-129.02) (“1979 Initiative”), convenes, the funds generated by the tax check-off shall be deposited in equal amounts in the District of Columbia statehood funds established pursuant to section 4(g) of the 1979 Initiative (D.C. Official Code § 1-123(g)).

“(2) Semiannually, each Representative and Senator shall submit to the Mayor, the Chairman of the Council, and the Chairman of the District of Columbia Board of Election and Ethics an accounting of the expenditures made with the tax check-off funds.”.

SUBTITLE L. DECOUPLING FROM ACCELERATED DEPRECIATION AND EXPENSING.

Sec. 7106. Short title

This subtitle may be cited as the "Decoupling from Accelerated Depreciation and Expensing Act of 2008".

Sec. 7107. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1803.03 is amended as follows:

(1) Subsection (a) is amended as follows:

(A) Paragraph (7) is amended to read as follows:

"(7) *Depreciation.* -- A reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources, allowances for depletion as permitted by reasonable rules which the Mayor may promulgate. No deduction shall be allowed for the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986. The basis upon which such allowances are to be computed shall be the basis provided for in § 47-1811.04."

(B) Paragraph (18) is amended to read as follows:

"(18) *Election to expense certain depreciable business assets.*

"(A) There shall be allowed as a deduction for the cost of property elected to be treated as not chargeable to capital account under section 179 of the Internal Revenue Code of 1986 an amount equal to the lesser of \$25,000 (or \$40,000 in the case of a Qualified High Technology Company ("QHTC")) or the actual cost of the property for the year the property is placed in service.

"(B) If a QHTC is a tenant, the cost of any real property and leasehold improvements incurred by the QHTC shall be treated as costs within the meaning of subparagraph (A) of this paragraph regardless of whether or not such improvements become an integral part of the realty, which improvements shall include improvements described in subsections 702.3, 702.4, and 702.5 of Title 9 of the District of Columbia Municipal Regulations."

(2) Subsection (b)(6) is repealed.

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

"(b-3) *Depreciation.*--

"(1) Notwithstanding the provisions of subsection (b) of this section, there shall be allowed as a deduction a reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources, allowances for depletion as permitted by reasonable rules which the Mayor may promulgate. The basis upon which such allowances are to be computed is the basis provided for in § 47-1811.04.

“(2) Notwithstanding the provisions of paragraph (1) of this subsection:

“(A) No deduction shall be allowed for the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986.

“(B) There shall be allowed as a deduction for the cost of property elected to be treated as not chargeable to capital account under section 179 of the Internal Revenue Code of 1986 an amount of equal to the lesser of \$25,000 (or \$40,000 in the case of a Qualified High Technology Company) or the actual cost of the property for the year the property is placed in service.”.

(b) Section 47-1811.04 is amended to read as follows:

“§ 47-1811.04. Bases - Determination of depreciation deduction.

“The basis used in determining the amount allowable as a deduction from gross income under the provisions of § 47-1803.03(a)(7) and (b-3) shall be the same basis as that provided for determining the gain from the sale or other disposition of property for federal income tax purposes under the Internal Revenue Code of 1986; provided, that no adjustment shall be made for:

“(1) The amount of the special depreciation allowance under section 168(k) of the Internal Revenue Code of 1986; and

“(2) The amount of the cost of property elected to be treated as chargeable to capital account under section 179 of the Internal Revenue Code of 1986 in excess of the lesser of \$25,000 (\$40,000 in the case of a Qualified High Technology Company) or the actual cost of such property.”.

Sec. 7108. Applicability.

This subtitle shall apply for taxable years beginning after December 31, 2007.

SUBTITLE M. ECONOMIC INTERESTS TAX.

Sec. 7109. Short title.

This subtitle may be cited as the "Economic Interests Tax Amendment Act of 2008".

Sec. 7110. Section 303(a)(2) of the District of Columbia Deed Recordation Tax Act, approved March 2, 1962 (76 Stat. 12; D.C. Official Code § 42-1103(a)(2)), is amended by striking the phrase “rate of 2.2%” and inserting the phrase “rate of 2.9%” in its place.

Sec. 7111. Applicability.

This subtitle shall apply as of October 1, 2008.

SUBTITLE N. DECOUPLING FROM DEDUCTION FOR DOMESTIC PRODUCTION ACTIVITIES.

Sec. 7112. Short title.

This subtitle may be cited as the "Decoupling From Domestic Production Activities Act of 2008".

Sec. 7113. Section 47-1803.03 of the District of Columbia Code is amended as follows:

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

"(a-1) *Deduction for domestic production activities disallowed.* -- In computing net income of corporations, financial institutions, unincorporated businesses, and partnerships, no deduction from gross income shall be allowed for the amount attributable to domestic production activities under section 199 of the Internal Revenue Code of 1986."

(b) Subsection (b) is amended by adding a new paragraph (8) to read as follows:

"(8) The amount attributable to domestic production activities under section 199 of the Internal Revenue Code of 1986."

Sec. 7114. Applicability.

This subtitle shall apply for taxable years beginning after December 31, 2008.

SUBTITLE O. FISCAL YEAR 2010 SEGREGATED, NONLAPSING FUND.

Sec. 7115. Short title.

This subtitle may be cited as the "Fiscal Year 2010 Segregated, Nonlapsing Fund Act of 2008".

Sec. 7116. Pursuant to section 821 of the Financial Services and General Government Appropriations Act, 2008, approved December 26, 2007 (Pub. L. No. 110-161; 121 Stat. 1844) ("Appropriations Act, 2008"), the Council approves an increase in appropriations in an amount of \$22,740,000 in nonrecurring local funds to be made available from the 2008 operating cash reserve fund, in accordance with section 202(j)(3)(B) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 109; D.C. Official Code § 47-392.02(j)(3)(B)). \$22,740,000 in local funds shall be placed in a segregated, non-lapsing fund by the Chief Financial Officer. All funds deposited into the fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal

year, or at any other time, subject to authorization by Congress. No funds shall be transferred from the fund until October 1, 2009, at which time, the funds may be used without restriction.

SUBTITLE P. ARTHUR CAPPER/CARROLLSBURG PUBLIC IMPROVEMENT CLARIFICATION.

Sec. 7117. Short title.

This subtitle may be cited as the "Arthur Capper/Carrollsborg Public Improvement Clarification Amendment Act of 2008".

Sec. 7118. Section 202(a)(1)(B) of the PILOT Authorization Increase and Arthur Capper/Carrollsborg Public Improvement Revenue Bonds Approval Act of 2006, effective March 8, 2007 (D.C. Law 16-244; 54 DCR 609), is amended by striking the phrase "\$11 million" and inserting the phrase "\$44 million" in its place.

TITLE VIII. DESIGNATED APPROPRIATION ALLOCATIONS

Sec. 8001. Short title.

This title may be cited as the "Designated Appropriation Allocations Act of 2008".

Sec. 8002. One-time nonrecurring grant allocations.

(a) Of the local funds included in the fiscal year 2009 budget of the Alcoholic Beverage Regulation Administration, \$100,000 in one-time, nonrecurring grants to the Mount Pleasant Main Street for street cleanup ("Green Team") and business development in the Mount Pleasant neighborhood.

(b) Of the local funds included in the fiscal year 2009 budget of the Commission on the Arts and Humanities, \$5,750,000 in one-time, nonrecurring grants to be distributed as follows:

- (1) An amount of \$250,000 to Capitol Fringe Festival for operational support;
- (2) An amount of \$300,000 to City Dance for a capital project to build out new studio and black box dance theater space at 14th and T Streets, N.W.;
- (3) An amount of \$200,000 to the Cultural Development Corporation for Source Theater operational efforts;
- (4) An amount of \$300,000 to the Dance Institute of Washington to enhance its ongoing programs in FY 2009;
- (5) An amount of \$150,000 to the D.C. Caribbean Carnival to assist in addressing the cost for the security and crowd-control services;

- (6) An amount of \$100,000 to D.C. Youth Orchestra for outreach and recruitment efforts for youth in Wards 6, 7, and 8;
- (7) An amount of \$500,000 to the Duke Ellington Jazz Festival for operational support;
- (8) An amount of \$200,000 to the East of the Anacostia Performing Arts State Center for a Performing Arts Center to be built east of the Anacostia River;
- (9) An amount of \$200,000 to Fiesta D.C., of which \$100,000 shall be used for the annual Latino Festival;
- (10) An amount of \$118,000 to the GALA Hispanic Theater for the restoration of the central ceiling dome;
- (11) An amount of \$332,000 to the Horning Brothers for the restoration of the Battisi murals at the Tivoli Theatre;
- (12) An amount of \$300,000 to the Humanities Council for operational support;
- (13) An amount of \$200,000 to Melvin Deal for program funding impacting at-risk youth through the arts and education;
- (14) An amount of \$50,000 to the National Conservancy of Dramatic Arts for operational and capacity building support for the conservancy's upcoming capital fundraising campaign;
- (15) An amount of \$50,000 to the Northeast Performing Arts Group for dance and theatre production training;
- (16) An amount of \$300,000 to the Thelonius Monk Jazz Institute to provide support for television programming related to music, arts, and poetry for residents living in the District of Columbia;
- (17) An amount of \$200,000 to the U Street Theatre Foundation for grants to support nonprofit organizations and performance-based activities, including developing performing arts groups and school cultural-enrichment activities;
- (18) An amount of \$100,000 to the Ward 7 Arts Collaborative for organizing, developing, and promoting art east of the river;
- (19) An amount of \$1 million to the Washington Ballet for capital fund for their new building;
- (20) An amount of \$500,000 to the Washington National Opera for maintaining and expanding their current education programs in the District of Columbia Public Schools and District of Columbia Public Libraries in all of the District's 8 wards; and
- (21) An amount of \$400,000 to the Washington, D.C. International Film Festival.

(c)(1) Of the local funds included in the fiscal year 2009 budget of the Children and Youth Investment Trust Fund, \$8,860,000 in a one-time, nonrecurring grant shall

be granted to the Children and Youth Investment Trust Corporation to be distributed as follows:

(A) An amount of \$200,000 to the Alliance of Concerned Men for community services to families and at-risk children;

(B) An amount of \$100,000 to the Anacostia Community Outreach Center/Woodland Tigers Youth Sports for Woodland Tigers Youth Sports and Education program;

(C) An amount of \$25,000 to Because We Care Health Training for funding to enroll 600 youth in full, preventative health programs;

(D) An amount of \$50,000 to Behavior Environmental Academic Program for a program that will serve 30 children from age 11-13 by providing a 6-week summer program to engage them in “Rediscovering the Anacostia River”;

(E) An amount of \$50,000 to the Calvin Woodland, Sr. Foundation to initiate community service and outreach that removes the barriers that negatively impact the lives of low-income residents in Ward 8;

(F) An amount of \$200,000 to Cease Fire. . . Don’t Smoke the Brothers for stopping gang violence with a special concentration in preventing “beefs” or disputes among troubled youth;

(G) An amount of \$50,000 to the Children’s Defense Fund for 2009 Freedom Schools summer program at the Southeast Tennis and Learning Center;

(H) An amount of \$100,000 to CHOICE, Inc. for the Academic Support Program, the Continuing Education Program, and wrap-around services for court-ordered youth and parents;

(I) An amount of \$1 million to Columbia Heights/Shaw Family Support Collaborative, of which \$120,000 is for Bruce-Monroe Initiative, \$50,000 for Mentoring Works 2 Program, and \$600,000 for gang prevention and intervention grants;

(J) An amount of \$100,000 to the Columbia Heights Youth Club to support its efforts of enhancing the quality of life for young people by providing educational, recreational, and personal growth activities for over 200 young people annually;

(K) An amount of \$100,000 to the Concerned Citizens on Alcohol and Drug Abuse, Inc. to expand the women’s center, the only certified day treatment program in the District of Columbia that provides services that target substance-abusing women with dependent children;

(L) An amount of \$250,000 to the D.C. Campaign to Prevent Teen Pregnancy for operational support for teen pregnancy reduction efforts;

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(M) An amount of \$200,000 to the D.C. Special Olympics for support for athletic and recreational services for people with intellectual disabilities;

(N) An amount of \$100,000 to D.C. VOICE for the continuation of independent research on critical issues related to District of Columbia Public Schools, researching school closings, youth development, and special education;

(O) An amount of \$250,000 to Dress for Success for operational support for efforts to help homeless and other women enter the workforce;

(P) An amount of \$500,000 to the Earth Conservation Corps for operational support for programs pairing at-risk youth, particularly east of the river, with Anacostia River clean-up and environmental advocacy efforts;

(Q) An amount of \$250,000 to the East of the River Family Strengthening Collaborative for expanding services of a full-service, nonprofit social services agency;

(R) An amount of \$300,000 to Everybody Wins! for support for after-school academic services for children;

(S) An amount of \$250,000 to the Fort Dupont Ice Arena for expansion of services to the community;

(T) An amount of \$10,000 to the Friends of Hillcrest Recreation Center to support programming and services for Hillcrest Recreation Center;

(U) An amount of \$50,000 to the Friends of Kennedy Playground for a capitol project to include a water play area at the park, and support for additional programming;

(V) An amount of \$100,000 to Girls, Inc. for operational support;

(W) An amount of \$50,000 to the High Tea Society for Cotillion and etiquette presentation for young women;

(X) An amount of \$75,000 to the Higher Achievement Program for expanded-hours learning program within District of Columbia Public Schools;

(Y) An amount of \$500,000 to the Hoop Dreams Scholarship Fund for a scholarship and mentoring program for District students;

(Z) An amount of \$50,000 to Inner Thoughts, Inc. to assist District of Columbia residents in identifying academic and economic resources and to support local access to programs and services that are essential to a self-sufficient community;

(AA) An amount of \$50,000 to the Institute for the Prevention and Eradication of Violence for wrap-around services, parental education, individual

therapy, substance-abuse therapy, anger management, and adolescent decision-making skills;

(BB) An amount of \$50,000 to the Jobs Coalition to strengthen the apprenticeship, training, and job placement programs by broadening the scope to reach the young, underserved, unemployed, and returning ex-offenders;

(CC) An amount of \$200,000 to the Kids Set Sail Program of the National Maritime Heritage Foundation to provide scholarships for District of Columbia youth and support for their participants;

(DD) An amount of \$200,000 to the Life Pieces to Masterpieces to support an enrichment program for boys ages 12 to 21;

(EE) An amount of \$100,000 to Lower Georgia Avenue Job Training Center at 633 Park Road, N.W., to assist its ongoing mission to provide job training, skill building, and employment services to District residents, including ex-offenders;

(FF) An amount of \$25,000 to My Buddy Notes for weekly news and events publication East of the River;

(GG) An amount of \$300,000 to the National Association of Former Foster Care Children of America, Inc. for one year's funding for its Metropolitan Fitness and Safety Academy, a fitness and boxing training, mentoring, life skills, career development, case management, and counseling services program;

(HH) An amount of \$200,000 to the Parklands Community Center for data/computer training and job placement as well as supportive services for low-income and homeless families;

(II) An amount of \$1 million to Peaceoholics for gang intervention and support for at-risk youth;

(JJ) An amount of \$100,000 to Positive Choices for operational support for programs helping at-risk youth;

(KK) An amount of \$200,000 to PROUrban Youth to support the expansion of PROUrban Youth from a 6-week program, as proposed by the Mayor, to a 10-week program;

(LL) An amount of \$100,000 to ROOT, Inc. for community service/outreach to curb youth violence;

(MM) An amount of \$500,000 to Sasha Bruce Youthwork, Inc. to build upon 2 sites now in Ward 8, Youthbuild and the Kindred Connections Family Support Center, add a drop-in, after-school program with outreach and mentoring, and to strengthen the Project Safe Place Program;

(NN) An amount of \$65,000 to Set Point, Inc. for tennis and life skills training;

(OO) An amount of \$60,000 to the Ward 7 Education Initiative for educational support for parents, students, and teachers;

(PP) An amount of \$100,000 to the Ward 7 Nonprofit Consortium for capacity building for all Ward 7 nonprofits;

(QQ) An amount of \$100,000 to the Ward 8 Tennis & Education Council for tennis and life-skills training;

(RR) An amount of \$75,000 to the Ward 8 Workforce Development Council for outreach efforts to connect residents directly to employment and training opportunities;

(SS) An amount of \$75,000 to the Ward 8 Youth Leadership Council, Inc. for a program designed to provide Ward 8 youth with leadership and public-speaking skills and to encourage civic involvement;

(TT) An amount of \$50,000 to the Washington East Foundation for development projects community benefits management and support; and

(UU) An amount of \$400,000 to the Washington East of the River Academy/Youth on the Rise for after-school programs and the District of Columbia Passport to Work Summer Job Program.

(2) Of the funds awarded as grants in this subsection, the Children and Youth Investment Trust Corporation is authorized to utilize up to 2% of the total amount of the grant award on administrative costs.

(d) Of the local funds included in the fiscal year 2009 budget of the District Department of Transportation, \$18,000 in one-time, nonrecurring grants to the Washington Area Bicyclist Association to develop and implement public service announcements to promote awareness of pedestrians and cyclists.

(e) Of the local funds included in the fiscal year 2009 budget of the Department of Housing and Community Development, \$700,000 in one-time, nonrecurring grants to AEDC for Knox Hill Village Punch List Repairs.

(f) Of the local funds included in the fiscal year 2009 budget of the Department of Human Services, \$750,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$100,000 to Asian American Leadership Empowerment and Development for Youth and Families for operational support;

(2) An amount of \$100,000 to the Community Council for the Homeless at Friendship Place to continue with its mission to help District residents who are, or have been, homeless;

(3) An amount of \$250,000 to D.C. Central Kitchen for operational support;

(4) An amount of \$100,000 to the Dinner Program for Homeless Women for facility improvements;

(5) An amount of \$100,000 to Neighbors' Consejo for bilingual outreach efforts to homeless and at-risk people;

(6) An amount of \$50,000 to Perry School "Home Instruction for Parents of Preschool Youngsters" program; and

(7) An amount of \$50,000 to Youth Development Program at Mount Airy Baptist Church for reducing youth violence.

(g) Of the local funds included in the fiscal year 2009 budget of the Department of Mental Health for the Community Contract Providers program, \$200,000 in one-time, nonrecurring grants to be distributed to the District of Columbia Birth Center, Inc., to support parental education and postpartum counseling, subject to terms and conditions approved by the Department of Mental Health.

(h) Of the local funds included in the fiscal year 2009 budget of the Office of the Deputy Mayor for Planning and Economic Development, \$24,739,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 to the Access Housing Incorporated, D.C. to operate veterans housing;

(2) An amount of \$100,000 to the Adams Morgan Main Street Group, Inc. toward the costs for preservation and restoration of the historic elements on the Avalon building's facade and exterior;

(3) An amount of \$100,000 to the Avalon Theatre to assist in repairing a community-based theatre in the Chevy Chase neighborhood;

(4) An amount of \$100,000 to Byte Back to fund the second year of the Office Track Program, providing low-income residents with high-quality computer and technology training;

(5) An amount of \$40,000 to Camp Imagine for support of District of Columbia youth involvement;

(6) An amount of \$150,000 to the Capital Area Asset Builders for the Earned Income Tax Credit outreach campaign;

(7) An amount of \$25,000 to the Capitol Hill Community Foundation to support the development and expansion of community gardens;

(8) An amount of \$30,000 to CHAMPS for operational support;

(9) An amount of \$100,000 to the Chinatown Cultural Center to support the center that seeks to preserve and promote Chinatown and celebrate Chinese culture, history, language, and heritage;

(10) An amount of \$150,000 to Cool Capital Challenge to help develop a voluntary carbon-dioxide emission-reduction program;

(11) An amount of \$600,000 to Cultural Tourism D.C., of which \$100,000 shall be used for expanding the Anacostia Initiative, which will focus on education and leadership for Wards 7 and 8 youth, and build upon the African American Heritage Trail;

(12) An amount of \$1 million to the D.C. Economic Partnership; provided, that one member of the board is appointed by the Chairman of the Council of the District of Columbia;

(13) An amount of \$500,000 to D.C. Vote for operational support;

(14) An amount of 100,000 to the Ethiopia Community Service & Development Council (who were displaced in the 5-alarm fire in Mount Pleasant Deauville Apartment Building);

(15) An amount of \$200,000 to Field of Dreams for operational support;

(16) An amount of \$10 million to Ford's Theatre Society for a capital project for the Center for Education and Leadership, a District-based nonprofit organization. Funds will be used to support the center's facility and programs to reach District residents and students through collaborations with District of Columbia public schools and libraries, THEARC, and other District stakeholders to educate about the District's unique role in Civil War history, District of Columbia Emancipation, and other topics;

(17) An amount of \$50,000 to the Friends of Book Hill Park for a capital project to address various site issues, including irrigation system and maintenance for the park;

(18) An amount of \$100,000 to the Greater Washington Fashion Chamber of Commerce for youth fashion vocational program and entrepreneurial fashion incubator;

(19) An amount of \$500,000 to the Greater Washington Sports Alliance for operational support, specifically for efforts to attract sporting events to the District;

(20) An amount of \$400,000 to the Greater Washington Urban League, Inc. for operational support;

(21) An amount of \$250,000 to GreenSPACE for development of green collar jobs;

(22) An amount of \$600,000 to the Historical Society of Washington for support for services that preserve and commemorate the history of the District of Columbia;

(23) An amount of \$232,000 to Keely's Boxing and Youth Center for boxing and recreational services;

(24) An amount of \$1 million to the Lincoln Theatre for operating and capital expenses, including structural upgrades, among other purposes;

(25) An amount of \$250,000 to the Marshall Heights Community Development Organization, a full-service, nonprofit development and social services agency;

(26) An amount of \$300,000 to the National Building Museum for operational support;

(27) An amount of \$200,000 to the National Cherry Blossom Festival for operational support;

(28) An amount of \$100,000 to the National Foundation for Teaching Entrepreneurship-Greater Washington for operational support;

(29) An amount of \$150,000 to Neighbors United for operational support;

(30) An amount of \$2 million to OIC/D.C. for employment and training services for residents of all ages in Ward 8;

(31) An amount of \$50,000 to Safe, Inc. to provide support to Safe, Inc. as it works to help domestic violence victims in need;

(32) An amount of \$1.5 million to Southeastern University to support the second- phase renovation of the university's campus and operating expenses tied to the university's accreditation process;

(33) An amount of \$22,000 to Sports 4 Kids to provide after-school programs for the youth of Ward 7 and Anne Beers Elementary School;

(34) An amount of \$100,000 to St. Phillip Episcopal Church for the revitalization and renovation of Logan Park, located on 14th Street, S.E., between U and V Streets;

(35) An amount of \$100,000 to Takoma Theatre for a market analysis and planning study;

(36) An amount of \$2 million to THEARC;

(37) An amount of \$100,000 to Training Grounds to provide green jobs training for over 100 youth to be prepared to enter the green workforce;

(38) An amount of \$100,000 to the University of the District of Columbia Fashion Merchandising Program to support the program;

(39) An amount of \$100,000 to the Vietnamese-American Community Service Center to enhance services to the community;

(40) An amount of \$100,000 to the Ward 7 Business and Professional Association for capacity-building and resources for Ward 7 businesses;

(41) An amount of \$75,000 to the Ward 8 Clean and Green, Inc. for neighborhood clean-ups and educating the community on conservation and environmental issues;

(42) An amount of \$75,000 to the Ward 8 Education Council to address the lack of parent involvement in their children's education by holding them accountable, creating public dialogue, and providing advocacy for them;

(43) An amount of \$200,000 to the Washington Area Women in Trades to fund pre-vocational, pre-apprenticeship training aimed at helping place low-income women in high-paying jobs;

(44) An amount of \$340,000 to the Washington Parks and People, of which \$200,000 is for the Howard University archeological team and \$140,000 is for the Washington Parks and People to reclaim 4 parcels of vacant properties in North Columbia Heights; and

(45) An amount of 50,000 to Young's Memorial Church to support District of Columbia social programs.

(i) Of the local funds included in the fiscal year 2009 budget of the Department of Health, \$5,025,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 from within the Community Health Administration shall be granted to the Capital Breast Care Center to raise breast cancer awareness and to provide screening and follow-up services for women, subject to terms and conditions approved by the Department of Health;

(2) An amount of \$100,000 to the Addiction Prevention and Recovery Administration shall be granted to the Crystal Meth Working Group for expanded substance- abuse prevention programs, subject to terms and conditions approved by the Department of Health;

(3) An amount of \$50,000 from within the Community Health Administration shall be granted to the D.C. Area Health Education Center for health navigation services to reduce avoidable hospitalizations, subject to terms and conditions approved by the Department of Health;

(4) An amount of \$100,000 from within the Community Health Administration shall be granted to the D.C. Assembly on School Health Care to provide operational and infrastructure support for school health policies and programs for the District, subject to terms and conditions approved by the Department of Health;

(5) An amount of \$75,000 from within the Health Emergency Preparedness and Response Administration shall be granted to the District of Columbia Hospital Association for terrorism response planning coordination services, subject to terms and conditions approved by the Department of Health;

(6) An amount of \$1.5 million from within the Community Health Administration shall be granted to the District of Columbia Primary Care Association for operational expenses for the Medical Homes DC project, subject to terms and conditions approved by the Department of Health;

(7) An amount of \$200,000 from within the Community Health Administration shall be granted to the District of Columbia Birth Center, Inc., to provide maternal and child support, subject to terms and conditions approved by the Department of Health;

(8) An amount of \$300,000 from within the Community Health Administration shall be granted to Food and Friends for clinical nutritional support to adults and children with cancer and other life-threatening illnesses, subject to terms and conditions approved by the Department of Health;

(9) An amount of \$300,000 from within the HIV/AIDS Administration shall be granted to Food and Friends for clinical nutritional support to adults and children with HIV/AIDS, subject to terms and conditions approved by the Department of Health;

(10) An amount of \$200,000 from within the Community Health Administration shall be granted to Food and Friends to provide operational support for clinical nutrition services, subject to terms and conditions approved by the Department of Health;

(11) An amount of \$500,000 from within the Community Health Administration shall be granted to Mary's Center to support the Healthy Start Health Family home visitation program, subject to terms and conditions approved by the Department of Health; provided, that these funds shall be in addition to any other funds dedicated to this program;

(12) An amount of \$250,000 from within the Community Health Administration shall be granted to the National Capital Poison Center to provide operational support for poison-control activities, subject to terms and conditions approved by the Department of Health;

(13) An amount of \$100,000 from within the Addiction Prevention and Recovery Administration shall be granted to the Reeves Recovery Group to support substance-abuse recovery services, subject to terms and conditions approved by the Department of Health;

(14) An amount of \$50,000 to SOME, Inc., to increase access to nutritious food of underserved District residents, subject to terms and conditions approved by the Department of Health;

(15) An amount of \$500,000 from within the Community Health Administration shall be granted to Southeastern University to support allied health-training programs, subject to terms and conditions approved by the Department of Health;

(16) An amount of \$150,000 from within the HIV/AIDS Administration shall be granted to Transgender Health Empowerment, Inc., for

HIV/AIDS primary care and prevention programs that target the transgender population, subject to terms and conditions approved by the Department of Health;

(17) An amount of \$75,000 from within the Addiction Prevention and Recovery Administration shall be granted to Ward 8 Clean and Sober, Inc. to support substance-abuse recovery services, subject to terms and conditions approved by the Department of Health; and

(18) An amount of \$75,000 from within the Community Health Administration shall be granted to the Ward 8 Health Council to support chronic-disease prevention and outreach services, subject to terms and conditions approved by the Department of Health.

(j) Of the local funds included in the fiscal year 2009 budget of the Department of Parks and Recreation, \$600,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$500,000 to the Boys and Girls Club of Greater Washington to supplement night and weekend recreation programs for the targeted youth at the FBR site; and

(2) An amount of \$100,000 to UNIFEST for a cultural festival and parade.

(k) Of the local funds included in the fiscal year 2009 budget of the Department of Small and Local Business Development, \$130,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$30,000 to the Old Takoma Park Business Association to provide matching funds to assist in the support of local businesses in the Takoma Park area, facade improvements, or business loans; and

(2) An amount of \$100,000 to the Ward 8 Business Council, which supports and monitors local and small businesses located in Ward 8.

(l) Of the local funds included in the fiscal year 2009 budget of the Justice Grants Administration, \$850,000 in one-time, nonrecurring grants to be distributed as follows:

(1) An amount of \$325,000 to the Boys and Girls Club of Greater Washington to fund after-school programs for children and youth;

(2) An amount of \$400,000 to the Time Dollar Youth Court Diversion Program to fund a diversion program for first-time, nonviolent youth offenders by providing alternative sentencing that involves them in activities that help other youth and the community; and

(3) An amount of \$125,000 to the Visitor's Services Center so that the organization can continue providing immediate, practical assistance to inmates of the D.C. Jail and their families.

(m) Of the local funds included in the fiscal year 2009 budget of the Metropolitan Police Department, \$200,000 in one-time, nonrecurring grants to Camp Ernest W. Brown operated jointly by the Boys and Girls Club of Greater Washington and the Metropolitan Police Department, to send District's youth to camp.

Sec. 8003. Grant allocations requirements.

(a) To receive a grant pursuant to section 8002, each named grantee shall be required to submit the following not later than August 1, 2008:

- (1) Articles of Incorporation;
- (2) Internal Revenue Service certification that the organization is tax-exempt under section 501(c)(3) of the Internal Revenue Code of 1986, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));
- (3) Financial Audit for the organization's most recently completed fiscal year;
- (4) Internal Revenue Service Form 990 covering the organization's most recently completed fiscal year;
- (5) Evidence that the organization is current on District and federal taxes; and
- (6) A detailed program statement containing the following information:
 - (A) Detailed scope of work;
 - (B) A detailed budget setting forth how the funds provided in this grant shall be spent;
 - (C) Statement certifying that the organization focuses primarily on services to District of Columbia residents and will serve only District of Columbia residents with this grant; and
 - (D) A formal certification from the proposed grantee that the District government shall have access to its financial, administrative, and operational records, including specific consent for the District of Columbia Auditor to access its books, accounts, records, findings, and documents related to this grant.

(b) Grantees shall be notified that the District of Columbia Auditor will randomly audit grant recipients. The District of Columbia Auditor's report shall be issued not later than January 1st of the fiscal year immediately following the year for which the grant was awarded.

Sec. 8004. Other designated appropriations.

(a) Of the gross funds included in the fiscal year 2009 budget of the Department of Health, the following funds shall be distributed as follows:

(1) An amount of up to \$200,000 in local funds from within the Addiction Prevention and Recovery Administration shall be made available to contract with KPMG, LLP. The Department of Health shall have the ability to negotiate rates and services and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the Addiction Prevention and Recovery Administration on an as-needed basis;

(2) An amount of no less than \$50,000 in local funds from within the Addiction Prevention and Recovery Administration shall be allocated to contract with a qualified vendor to conduct a review of detoxification services in the District. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health;

(3) An amount of \$625,000 in local funds from within the Addiction Prevention and Recovery Administration shall be allocated to enhance residential treatment and services for women with children through implementation of the Family Court Program Treatment Model;

(4) An amount of up to \$500,000 in local funds from within the Center for Policy Planning and Epidemiology shall be made available to contract with the RAND Corporation. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the Center for Policy Planning and Epidemiology on an as-needed basis;

(5) An amount of \$250,000 in local funds from within the Center for Policy Planning and Epidemiology shall be made available to contract with Johns Hopkins University Bloomberg School of Public Health. The Department of Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health for the continuation of the Spring Valley Health Study;

(6) An amount of no less than \$6,750,000 in local funds from within the Community Health Administration shall be allocated to the provision of school nurse services in partnership with Children's National Medical Center. This amount shall be in addition to any other non-local funding allocated to school nursing programs in fiscal year 2009;

(7) An amount of no less than \$600,000 in local funds from within the Community Health Administration shall be allocated to the Health Professional Recruitment Fund to support the Health Professional Recruitment Program;

(8) An amount of no less than \$475,000 in local funds from within the

Community Health Administration shall be allocated to the Family Support Workers Program;

(9) An amount of \$850,000 to the Community Health Administration for comprehensive cancer prevention and screening programs for low-income or uninsured District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this section, subject to terms and conditions approved by the Department of Health;

(10) An amount of \$1,450,000 from within the Community Health Administration shall be allocated for comprehensive chronic-disease programs for low-income or uninsured District adults, of which at least \$500,000 shall be dedicated to diabetes prevention, education, and screening services. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this section, subject to terms and conditions approved by the Department of Health;

(11) An amount of \$900,000 from within the Community Health Administration shall be allocated for comprehensive chronic conditions programs for low-income or uninsured District children and youth, of which at least \$600,000 shall be directed to obesity initiatives. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(12) An amount of no less than \$125,000 in local funds from within the Community Health Administration shall be allocated to support oral health programs for low-income and homeless District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(13) An amount of \$20,000 to the Community Health Administration for membership dues in the National Legislative Association on Prescription Drug Prices;

(14) An amount of \$300,000 to the Community Health Administration for pre-school immunization programs for District residents. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health;

(15) An amount of up to \$300,000 in local funds from within the HIV/AIDS Administration shall be made available to contract with the School of Public Health at George Washington University. The Department of Health shall have

the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health to conduct management and administrative projects for the HIV/AIDS Administration on an as-needed basis;

(16) An amount of \$200,000 in local funds from within the HIV/AIDS Administration shall be allocated for housing-assistance services for District residents living with HIV/AIDS who do not qualify for housing assistance through the Housing Opportunities for Persons with HIV/AIDS program;

(17) An amount of no less than \$250,000 in local funds from within the HIV/AIDS Administration shall be made available for bereavement support and burial assistance for the burial or cremation of deceased persons who were diagnosed with HIV/AIDS;

(18) An amount of \$1.3 million in gross funds shall be allocated to the Effi Slaughter Barry HIV/AIDS Initiative as established by the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008, effective March 20, 2008 (D.C. Law 17-117; D.C. Official Code § 7-1611 *et seq.*);

(19) An amount of \$2,450,000 from within the HIV/AIDS Administration shall be allocated for comprehensive HIV/AIDS primary care and prevention programs, of which at least \$200,000 shall be allocated to serve the Latino population. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health; and

(20) An amount of no less than \$400,000 from within the HIV/AIDS Administration shall be allocated for comprehensive HIV/AIDS youth prevention programs. The Director of the Department of Health is authorized to make direct grants to qualified community providers to effectuate the purpose of this paragraph, subject to terms and conditions approved by the Department of Health.

(b) Of the local funds included in the fiscal year 2009 budget of the Department of Mental Health, the following funds shall be distributed as follows:

(1) An amount of no less than \$4,650,000 from within the Mental Health Authority shall be allocated to school-based, mental-health services. This amount shall be in addition to the \$1 million the Department of Mental Health shall receive during fiscal year 2009 through a memorandum of understanding with the Office of the State Superintendent of Education for purposes of expanding school-based, mental-health services to support secondary and tertiary school-based, mental-health interventions;

(2) An amount of no less than \$525,000 from within the Mental Health Authority shall be allocated to support the Urgent Care Center at the Superior Court of the District of Columbia;

(3) An amount of no less than \$5,529,000 from within the Mental

Health Authority shall be allocated for the Housing Bridge Subsidy program;

(4) An amount of no less than \$244,000 from within the Community Contract Providers program shall be allocated to support the consumer-focused activity center;

(5) An amount of no less than \$3 million from within the Mental Health Authority shall be allocated to support community-based, acute in-patient mental health care and psychiatric services; and

(6) An amount of \$200,000 shall be made available to contract with KPMG, LLP. The Department of Mental Health shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Mental Health to conduct management and administrative projects on an as-needed basis.

(c) Of the gross funds included in the fiscal year 2009 budget of the Department of Health Care Finance, the following funds shall be distributed as follows:

(1) An amount of up to \$8 million from within the Department of Health Care Finance shall be made available to contract with the School of Public Health at George Washington University. The Department of Health Care Finance shall have the ability to negotiate rates and services, and the contract shall be used at the discretion of the Director of the Department of Health Care Finance to conduct management and administrative projects on an as-needed basis;

(2) An amount of \$500,000 in local funds from within the Department of Health Care Finance shall be allocated to conduct audits of financial controls and related-parties transactions for non-managed care providers; and

(3) An amount of \$11.3 million in local funds from within the Department of Health Care Finance shall be allocated to increase the specialty physician and primary care physician reimbursement rates under the District Medicaid fee-for-service program to match the specialty physician and primary care physician reimbursement rates under the federal Medicare program.

(d) Of the local funds included in the fiscal year 2009 budget of the Department of Human Services, the following funds shall be distributed as follows:

(1) An amount of no less than \$50,000 to Adult Protective Services to support low-income elderly residents served by the Capitol Hill Village;

(2) An amount of no less than \$35,000 to Adult Protective Services to produce a comprehensive study of elderly and aging homeless District residents; and

(3) An amount of no less than \$115,000 to the Community Services program to support the establishment of a new Office for Youth Mentoring.

(e) Of the local funds included in the fiscal year 2009 budget of the Deputy Mayor for Planning and Economic Development, the following funds shall be distributed as follows:

(1) An amount of \$13.5 million shall be distributed to the Canal Park Development Association for the construction of Canal Park;

(2) An amount of \$1 million to support the Ward 4 BID Demonstration Project and capital improvement grants to businesses on Georgia Avenue or Kennedy Street, N.W.; and

(3) An amount of \$190,000 to the Ward 4 BID Demonstration Project and capital improvements to Georgia Avenue in Ward 1.

(f) Of the local funds included in the fiscal year 2009 budget of the Department of Employment Services for job-training programs, an amount of \$500,000 shall be reserved for an allied health workforce training program.

TITLE IX. COMMITTEE REPORTS

Sec. 9001. Short title.

This subtitle may be cited as the "Report Authority Act of 2008".

Sec. 9002. The allocations and recommendations set forth in the committee report of the Committee of the Whole, which includes the reports of all committees, are incorporated into this act.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE

Sec. 10001. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 10002. 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), a 30-day period of Congressional review as provided in 602(c)(1) of the District of Columbia Home Rule

ENROLLED ORIGINAL

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia