ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-368

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To approve, on an emergency basis, fiscal year 2008 appropriation authority to enable the use of existing Other-Type and local funds, and to place 2008 local funds in nonlapsing accounts for use in fiscal years 2009 and 2010; and to amend the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, the Supplemental Appropriations Clarification Release of Funds Emergency Amendment Act of 2008, and the Supplemental Appropriations Clarification Release of Funds Temporary Amendment Act of 2008 to repeal applicability clauses requiring specific reprogrammings before fiscal year 2008 supplemental funds are released.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2008 Other-Type and Local Appropriations Adjustment Emergency Act of 2008".

Sec. 2. 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 as follows:

(1) An increase of $2.8 million in fiscal year 2008 Other-Type fund appropriations to be allocated to the District Department of Transportation as follows:

(A) An amount of $300,000 to permit the use of the prior year fund balance available in the Tree Fund, established by section 107 of the Urban Forest Preservation Act of 2002, effective June 12, 2003 (D.C. Law 14-309; D.C. Official Code § 8-651.07); and

(B) An amount of $2.5 million to permit the use of certified fiscal year 2008 Circulator Bus farebox revenues in the Metrorail/Metrobus Account, established by section 2 of the Stable and Reliable Source of Revenues for WMATA Act of 1982, effective April 30, 1982 (D.C. Law 4-103; D.C. Official Code § 9-1111.15);

(2) An increase of $3,891,150 in fiscal year 2008 local fund appropriations to be allocated as follows:

(A) An increase of $291,150, to remain available until expended, for the Department of Health from the unexpended balance of nonlapsing funds previously deposited in

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the Health Professional Recruitment Fund, established in section 16a of the Health Professional Recruitment Program Act of 2005, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 7-751.15a);

(B) An increase of $1.6 million, to remain available until expended, for the Office of Motion Picture and Television Development from the unexpended balance of nonlapsing funds previously deposited in the Film DC Economic Incentive Fund, established in section 2 of the Film DC Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501); and

(C) An increase of $2 million, to remain available until expended, for the Department of Education from available nonlapsing funds designated to the Integrated Services Fund in section 5203 of the Integrated Funding and Services for At-Risk Children, Youth, and Families Act of 2006, effective March 2, 2007 (D.C. L aw 16-192; D.C. Official Code § 4-1345.02);

(3) An increase of $4.7 million in fiscal year 2008 dedicated taxes appropriations, to remain available until expended, for the Department of Health from available nonlapsing funds designated to the Healthy DC Fund, established in 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);

(4) An amount of $13.1 million in nonrecurring local funds to be made available from additional certified fiscal year 2008 local revenues pursuant to section 821 of the Appropriations Act, 2008, to be allocated as follows:

(A) An amount of $3.1 million in local funds for the Office of Public Education Facilities Modernization for maintenance operating costs; and

(B) An amount of $10 million in local funds to be placed in a segregated, nonlapsing 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; and

(5) An amount of $36.5 million 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)), as follows:

(A) An amount of $17.5 million in local funds to be placed in a segregated, nonlapsing 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, 2008, at which time the funds may be used without restriction; and

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(B) An amount of $19 million 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.

Sec. 3. Repealers.

(a) Section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, effective March 20, 2008 (D.C. Law 17-121; 55 DCR 1477), is repealed.

(b) The Supplemental Appropriations Clarification Release of Funds Emergency Amendment Act of 2008, signed by the Mayor on May 1, 2008 (D.C. Act 17-362; 55 DCR __), is repealed.

(c) The Supplemental Appropriations Clarification Release of Funds Temporary Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-721), is repealed.

Sec. 4. Fiscal impact statement.

(a) The Council adopts the fiscal impact statement of the Chief Financial Officer 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)).

(b) The Chief Financial Officer has certified that the Other-Type and local resources identified in section 2 are available for expenditure in sufficient amounts to implement the provisions of this act.

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

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412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-369

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

To amend, on an emergency basis, the Fiscal Year 1997 Budget Support Act of 1996 to authorize use of an automated parking enforcement system and to allow recorded images of parking violations to be submitted without authentication; to amend the District of Columbia Traffic Adjudication Act of 1978 to allow notices of infractions generated by an automated parking enforcement system to be served by mail and to be included in the Fleet Adjudication Program; and to make conforming changes to Title 18 of the District of Columbia Municipal Regulations.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Street Sweeping Improvement Enforcement Amendment Emergency Act of 2008".

Sec. 2. The District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Official Code § 50-2303.01 *et seq.*), is amended to read as follows:

(a) Section 303 (D.C. Official Code § 50-2303.03) is amended as follows

Note, § 50-2303.03

(1) Add a new subsection (b-1) to read as follows:

"(b-1) The Mayor is authorized to use an automated parking enforcement system to detect parking infractions. Violations detected by an automated parking enforcement system shall constitute parking violations. Proof of an infraction may be evidenced by information obtained through the use of an automated parking enforcement system. For the purposes of this subchapter, the term "automated parking enforcement system" means equipment that takes a film or digital camera-based photograph which is linked with a violation detection system that synchronizes the taking of a photograph with the occurrence of a parking infraction. Recorded images taken by an automated parking enforcement system are prima facie evidence of an infraction and may be submitted without authentication.".

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

"(c) Except as provided in subsection (c-1) of this section, a notice of infraction shall be served personally upon the operator of a vehicle who is present at the time of service or by

ENROLLED ORIGINAL

affixing such notice to the vehicle in a conspicuous place and by noting the plate designation and plate type as shown by the registration plates of such vehicle together with the make or model of the vehicle.".

(3) New subsections (c-1) and (c-2) are added to read as follows:

"(c-1) When a violation is detected by an automated parking enforcement system, the Mayor shall mail a notice of infraction to the name and address of the registered owner of the vehicle on file with the Department of Motor Vehicles or the appropriate state motor vehicle agency. The notice shall include the date, time, and location of the violation, the type of violation detected, the license plate number and state of license plate issuance of the vehicle detected, and a copy of the photo or digitized image of the violation.

"(c-2) Service of the notice of infraction or a duplicate thereof by affixation or by mail, shall have the same force and effect and shall be subject to the same penalties for the disregard thereof as though the notice of infraction was personally served on the owner and operator of the vehicle.".

(b) Section 304a(b) (D.C. Official Code § 50-2303.04a(b)) is amended by adding the phrase "or an automated parking enforcement system," after the phrase "automated traffic enforcement system.". Note, § 50-2303.04a

Sec. 3. Chapter 30 of Title 18 of the District of Columbia Municipal Regulations (Vehicles and Traffic), is amended as follows:

(a) Subsection 3000.7 (18 DCMR § 3000.7) is amended to read as follows:

"3000.7 When a Notice of Infraction for a parking violation is issued from a handheld electronic device or an automated parking enforcement system, no signature of an issuing officer shall be required as evidence of the validity of the issuance and the truth of the facts stated on the Notice provided that, the officer's printed name, department and badge number appear legibly on the face of the Notice to be affixed to the vehicle or presented to the vehicle operator or owner or mailed to the registered owner of the vehicle.".

(b) Section 3004 (18 DCMR § 3004) is amended as follows:

(1) Subsection 3004.2 is amended to read as follows:

"3004.2 Personal service shall be used for moving violations and parking violations, except as otherwise provided in this section.".

(2) Subsection 3004.3 is amended to read as follows:

"3004.3 In cases of parking violations:

(a) Where the owner or operator is not present, the appropriate copy of the notice shall be served by affixing it to the vehicle in a conspicuous and secure manner.

(b) Where the notice of infraction is issued by an automated parking enforcement system, the appropriate copy of the notice will be mailed to the registered owner of the vehicle.".

(3) Subsection 3004.4 is amended to read as follows:

"3004.4 Service of notice by affixation to the vehicle or by mail for notices issued by

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an automated parking enforcement system, shall have the same force and effect as personal service.".

(4) Subsection 3004.6 is amended by adding the phrase "or automated parking enforcement system" after the phrase "hand-held electronic device".

Sec. 4. Warning period for automated parking enforcement on street sweepers.

Notwithstanding other provisions of law or regulation, citations resulting from automated parking enforcement systems shall be limited to warning citations during the first 45 days that an automated parking enforcement is used on any given street sweeper route. The automated parking enforcement system program shall not be implemented until a warning citation is developed and a warning citation process is put in place.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report of the Street Sweeping Improvement Enforcement Amendment Act of 2007 (Engrossed version of Bill 17-396) 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. 6. Effective date.

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

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

2001 Edition

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AN ACT

D.C. ACT 17-370

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend, on an emergency basis, the District of Columbia School Reform Act of 1995 to require that an existing tenant that is a public charter school in good standing or an organization providing educational or youth services under contract with the District government that has been a tenant since 2004 and is in good standing be given the right of first offer with regard to the purchase, lease, transfer, or use of a facility or property, and to clarify that nothing in the legislation shall be construed to deem the subject facility or property surplus or to authorize the Mayor to dispose of the subject facility or property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia School Reform Property Disposition Clarification Emergency Amendment Act of 2008".

Note, § 38-1802.09

Sec. 2. Section 2209(b)(1)(A) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)(A)), is amended as follows:

(a) Designate the existing text as sub-subparagraph (i).

(b) The newly designated sub-subparagraph (i) is amended by striking the phrase "this paragraph." and inserting the phrase "this paragraph; provided, that the right of first offer shall be offered to an existing tenant that is:

"(I)(aa) A public charter school that has occupied all, or substantially all, of the facility or property; or

"(bb) An organization providing educational or youth services under contract with the District government that has been a tenant of the facility or property, and has occupied all, or substantially all, of the facility or property since on or before December 1, 2004; and

"(II) In good standing on its existing lease agreement." in its place.

(c) A new sub-subparagraph (ii) is added to read as follows:

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"(ii) Nothing in sub-subparagraph (i) of this subparagraph shall be construed to deem a facility or property to be surplus or to authorize the Mayor to dispose of a facility or property.".

Sec. 3. Applicability
This act shall apply as of April 26, 2008.

Sec. 4. Fiscal impact statement.
The Council adopts the fiscal impact statement in the committee report for the District of Columbia School Reform Property Disposition Clarification Amendment Act of 2008, passed on 2nd reading on May 6, 2008 (Enrolled version of Bill 17-217), 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. 5. Effective date.
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code §1-204.12(a)).

Vincent C. Gray
Chairman
Council of the District of Columbia

Adrian Fenty
Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

Codification District of Columbia Official Code

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West Group Publisher

AN ACT

D.C. ACT 17-371

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To symbolically designate the 2500 block of 12th Place, S.E., as E.W. Stevenson, Sr. Boulevard, in Ward 8.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "E.W. Stevenson, Sr. Boulevard Designation Act of 2008".

Sec. 2. Pursuant to sections 401 and 403a of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code §§ 9-204.01 and 9-204.03a) ("Act"), and notwithstanding section 407 of the Act (D.C. Official Code § 9-204.07), the Council symbolically designates the 2500 block of 12th Place, S.E., as "E.W. Stevenson, Sr. Boulevard".

Note, § 9-204.01

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective, to the District Department of Transportation.

Sec. 4. 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-374

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

2001 Edition

2008 Fall Supp.

West Group Publisher

To amend the Washington Convention Center Authority Act of 1994 to continue the terms of the current appointees of the Washington Convention Center Authority Advisory Committee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Washington Convention Center Authority Advisory Committee Amendment Act of 2008".

Note, § 10-1202.18

Sec. 2. Section 218 of the Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1202.18), is amended as follows:

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

(1) The lead-in text is amended by striking the number "12" and inserting the number "19" in its place.

(2) Paragraph (2) is amended by striking the word "Operations" and inserting the phrase "Operations (or successor officer)" in its place.

(3) Paragraph (4) is amended by striking the phrase "Committee on Economic Development;" and inserting the phrase "committee with oversight over the Washington Convention Center Authority;" in its place.

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

"(7) Two members appointed by the Chairperson of the Council's committee with oversight over the Washington Convention Center Authority;".

(5) Paragraph (8) is amended by striking the phrase "One member" and inserting
the phrase "Two members" in its place.

(6) Paragraph (10) is amended by striking the word "and".

(7) Paragraph (11) is amended by striking the period at the end and inserting a semicolon in its place.

(8) New paragraphs (12) (13), (14), (15), and (16) are added to read as follows:

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"(12) One member chosen by the Unite Here Mid-Atlantic Joint Board Local 25 (Hotel & Restaurant Employees);

"(13) One member chosen by the local chapter of the American Institute of Architects;

"(14) One member chosen by the local chapter of the American Planning Association;

"(15) One member chosen by the Hotel Association of Washington D.C.; and

"(16) The Chairperson of the Committee, who shall be appointed by the Mayor without limitations based upon ward residency.".

(b) Subsection (e) is amended by striking the phrase "Committee on Economic Development" and inserting the phrase "Council's committee with oversight over the Washington Convention Center Authority" in its place.

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

"(h-1) The Committee shall serve as the liaison to the community on matters pertaining to the Walter E. Washington Convention Center Headquarters Hotel ("Headquarters Hotel") and shall provide updates on the Headquarters Hotel at the regularly scheduled Committee meetings.".

(d) Subsection (i) is amended by striking the phrase "dissolve on December 31, 2010;" and inserting the phrase "dissolve one year after a Certificate of Occupancy is issued for the Headquarters Hotel;" in its place.

Sec. 3. Fiscal impact statement.

The Council adopts the April 14, 2008 fiscal impact statement of the Chief Financial Officer 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. 4. 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 section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-375

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

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2008 Fall Supp.

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To name the Metropolitan Police Department Third District Substation at 750 Park Road, N.W., in Ward 1, as the Gerard W. Burke, Jr. Building in honor of the late Metropolitan Police Department Sergeant.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Gerard W. Burke, Jr. Building Designation Act of 2008".

Sec. 2. Pursuant to section 401 of the Street and Alley Closing and Acquisition Procedures Act of 1982, effective March 10, 1983 (D.C. Law 4-201; D.C. Official Code § 9-204.01), the Metropolitan Police Department Third District Substation, located at 750 Park Road, N.W., in Ward 1, is designated as the "Gerard W. Burke, Jr. Building".

Note, § 9-204.01

Sec. 3. Transmittal.

The Secretary to the Council shall transmit a copy of this act, after it becomes effective, to the Metropolitan Police Department.

Sec. 4. 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-376

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

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To amend the District of Columbia School Reform Act of 1995 to require that an existing tenant that is a public charter school in good standing or an organization providing educational or youth services under contract with the District government that has been a tenant since 2004 and is in good standing be given the right of first offer with regard to the purchase, lease, transfer, or use of a facility or property, and to clarify that nothing in the legislation shall be construed to deem the subject facility or property surplus or to authorize the Mayor to dispose of the subject facility or property.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "District of Columbia School Reform Property Disposition Clarification Amendment Act of 2008".

Note, § 38-1802.09

Sec. 2. Section 2209(b)(1)(A) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)(A)), is amended as follows:

(a) Designate the existing text as sub-subparagraph (i).

(b) The newly designated sub-subparagraph (i) is amended by striking the phrase "this paragraph." and inserting the phrase "this paragraph; provided, that the right of first offer shall be offered to an existing tenant that is:

"(I)(aa) A public charter school that has occupied all, or substantially all, of the facility or property; or

"(bb) An organization providing educational or youth services under contract with the District government that has been a tenant of the facility or property and has occupied all, or substantially all, of the facility or property since on or before December 1, 2004; and

"(II) In good standing on its existing lease agreement." in its place.

(c) A new sub-subparagraph (ii) is added to read as follows:

"(ii) Nothing in sub-subparagraph (i) of this subparagraph shall be construed to deem a facility or property to be surplus or to authorize the Mayor to dispose of

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a facility or property.".

Sec. 3. 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. 4. 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 section 602(c)(1) of the District of Columbia Home Rule 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.

Vincent C. Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-377

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

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To amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to provide for a smaller District of Columbia Bicycle Advisory Council with government representatives drawn from agencies more relevant to the District of Columbia Bicycle Advisory Council's mission and appointed by the agency directors, and to reflect the transfer of the Office of Bicycle Transportation and Safety from the Department of Public Works to the District Department of Transportation.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Bicycle Policy Modernization Amendment Act of 2008".

Sec. 2. The District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984, effective March 16, 1985 (D.C. Law 5-179; D.C. Official Code § 50-1601 *et seq.*), is amended as follows:

Amend § 50-1603

(a) Section 4 (D.C. Official Code § 50-1603) is amended as follows:

(1) The lead-in text is amended by striking the phrase "Department of Public Works" and inserting the phrase "District Department of Transportation" in its place.

(2) Subsection (c)(5) is amended by striking the phrase "Department of Public Works" and inserting the phrase "District Department of Transportation" in its place.

Amend § 50-1604

(b) Section 5(b) (D.C. Official Code § 50-1604(b)) is amended to read as follows:

"(b)(1) The Council shall be composed of 17 members appointed as follows:

"(A) The bicycle coordinator of the Office of Bicycle Transportation and Safety of the District Department of Transportation, as established in section 4;

"(B) The Chief of the Metropolitan Police Department or his or her designee;

"(C) The Director of the Office of Planning or his or her designee;

"(D) The Director of the Department of Parks and Recreation or his or her designee; and

"(E)(1) Thirteen community representatives, with each member of the Council of the District of Columbia appointing one representative.

ENROLLED ORIGINAL

"(2) Each community representative shall be a resident of the District with a demonstrated interest in bicycling.

"(3) The representative appointed by the member of the Council of the District of Columbia who chairs the committee having jurisdiction over the District Department of Transportation shall serve as chairperson of the Council.".

(c) Section 8 (D.C. Official Code § 50-1607) is amended as follows: **Amend § 50-1607**

(1) Subsection (a) is amended by striking the phrase "Department of Public Works" and inserting the phrase "District Department of Transportation" in its place.

(2) Subsection (b) is amended by striking the phrase "Department of Public Works" and inserting the phrase "District Department of Transportation" in its place.

(d) Section 9 (D.C. Official Code § 50-1608) is amended by striking the phrase "District of Columbia Department of Public Works" and inserting the phrase "District Department of Transportation" in its place. **Amend § 50-1608**

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer 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. 4. 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 section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-378

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

Codification District of Columbia Official Code

2001 Edition

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To amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from real property taxation certain properties owned by So Others Might Eat, Inc., a nonprofit corporation, or by entities controlled by So Others Might Eat, Inc.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "So Others Might Eat Property Tax Exemption Act of 2008".

Sec. 2. Chapter 10 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 47-1078 to read as follows:

"§ 47-1078. So Others Might Eat, Inc., and Affiliates Property Tax Exemption.".

(b) A new section 47-1078 is added to read as follows:

"§ 47-1078. So Others Might Eat, Inc., and Affiliates Property Tax Exemption. New § 47-1078

"(a) The following properties owned by So Others Might Eat, Inc., Affordable Housing Opportunities, Inc., or by an entity controlled, directly or indirectly, by So Others Might Eat, Inc., or Affordable Housing Opportunities, Inc., are exempt from real property taxation, effective as of the dates stated below, so long as the property continues to be used in accordance with the application for property tax exemption filed for that particular property and the owner continues to be So Others Might Eat, Inc., or Affordable Housing Opportunities, Inc. or an entity controlled, directly or indirectly, by So Others Might Eat, Inc., or Affordable Housing Opportunities, Inc.:

"(1) Lot 811, Square 3567, located at 1876 - 4th Street, N.E., effective August 1, 2006;

"(2) Lot 812, Square 3567, located at 1876 - 4th Street, N.E., effective August 1, 2006;

"(3) Lot 33, Square 5322, located at 360 - 50th Street, S.E., effective June 1, 2007;

"(4) Lot 34, Square 5322, located at 350 - 50th Street, S.E., effective June 1, 2007;

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"(5) Parcel 2180096, Square 5616, located at 1701 - 19th Street, S.E., effective April 1, 2006;

"(6) Lot 815, Square 5637, located at 2810 - 2872 Texas Avenue, S.E., effective June 1, 2007;

"(7) Lot 47, Square 5760, located 2125 - 18th Street, S.E., effective July 1, 2005;

"(8) Lot 894, Square 5765, located at 1667 Good Hope Road, S.E., effective January 1, 2007;

"(9) Lot 811, Square 6129, located at 3828 - 3830 South Capitol Street, S.E., effective June 1, 2007;

"(10) Lot 822, Square 6164, located at 740 Barnaby Street, S.E., effective March 1, 2007; and

"(11) Lots 2086 – 2127, Square 6164, located at 730 - 736 Chesapeake Street, S.E., effective November 1, 2007.

"(b) The properties contained in this section shall make the annual reports required by § 47-1007.".

Sec. 3. Applicability.

This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 4. 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-379

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

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To amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to clarify that the dollar volume subcontracting requirement may include purchases from small business enterprises that provide materials, goods, and supplies, to extend many of the benefits of the act afforded to small, local, and disadvantage business enterprises to all certified business enterprises, and to provide the Department of Small and Local Business Development with grant-making authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Small and Local Business Development Subcontracting Clarification, Benefit Expansion, and Grant-making Authority Amendment Act of 2008".

Sec. 2. The Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

Amend § 2-218.02

(a) Section 2302 (D.C. Official Code § 2-218.02) is amended by adding new paragraphs (1A) and (1B) to read as follows:

"(1A) "Business enterprise" means a business entity organized for profit.

"(1B) "Certified business enterprise" means a business enterprise or joint venture certified pursuant to part D.".

Amend § 2-218.12

(b) Section 2312 (D.C. Official Code § 2-218.12) is amended as follows:

(1) Subsection (d) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(2) Subsection (f) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

Amend § 2-218.13

(c) Section 2313 (D.C. Official Code § 2-218.13) is amended as follows:

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

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

(i) Subparagraph (F) is amended by striking the phrase "the achievement of goals related to contracting with, and procuring from, certified business

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enterprises" and inserting the phrase "the achievement of the goals set forth in section 2341" in its place.

(ii) Subparagraph (G) is amended by striking the phrase "the achievement of the goals set forth in section 2341" and inserting the phrase "related to contracting with, and procuring from, certified business enterprises" in its place

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

(i) The lead-in language is amended by striking the phrase "Contracting Opportunities" and inserting the phrase "Business Opportunities and Access to Capital" in its place.

(ii) Subparagraph (A) is amended by striking the phrase "local, small, and disadvantaged" wherever it appears and inserting the word "certified" in its place.

(iii) Subparagraph (E) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(iv) Subparagraph (I) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(v) Subparagraph (J) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(vi) Subparagraph (K) is amended by striking the phrase "local, small, and disadvantaged" wherever it appears and inserting the word "certified" in its place.

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

"(c-1) The Department shall have the authority to issues grants to local businesses (whether or not certified pursuant to this subtitle), community and neighborhood groups or other nonprofit organizations as necessary to effectuate the mission of the Department and the purposes of this subtitle.".

(d) Section 2323 (D.C. Official Code § 2-218.23) is amended by striking the phrase "local, small, and disadvantaged" wherever it appears and inserting the word "certified" in its place. **Amend § 2-218.23**

(e) Section 2325 (D.C. Official Code § 2-218.25) is amended as follows: **Amend § 2-218.25**

(1) The existing language is designated as paragraph (1).

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

"(2) The Department may promulgate, amend, repeal, and enforce any bylaws and internal rules of operation, consistent with the provisions of this subtitle, as may be necessary or appropriate to carry out its responsibilities under this subtitle.".

(f) Section 2331(2A) (D.C. Official Code § 2-218.31(2A)) is amended by striking the phrase "Meets 3 of the 4" and inserting the phrase "Meets 1 of the 4" in its place. **Amend § 2-218.31**

(g) Section 2342 (D.C. Official Code § 2-218.42) is amended as follows: **Amend § 2-218.42**

(1) Paragraph (1) is amended by striking the phrase "local, small, and disadvantaged business enterprises, resident-owned businesses, resident businesses, and local business enterprises with principal offices located in an enterprise zone" and inserting the phrase "certified business enterprises" in its place.

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(2) Paragraph (2) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(h) Section 2343(a) (D.C. Official Code § 2-218.43(a)) is amended as follows: **Amend § 2-218.43**

(1) Paragraph (1)(B) is amended by inserting the word "a" before the word "resident-owned".

(2) Paragraph (2)(B) is amended by inserting the word "a" before the word "resident-owned".

(i) Section 2346(D.C. Official Code § 2-218.46) is amended as follows: **Amend § 2-218.46**

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

"(a)(1) All construction contracts in excess of $250,000 shall include the following requirements:

"(A) At least 35% of the dollar volume shall be subcontracted to small business enterprises; provided, that the costs of materials, goods, and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods, and supplies are purchased from small business enterprises; or

"(B) If there are insufficient qualified small business enterprises to completely fulfill the requirement of subparagraph (A) of this paragraph, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume to any certified business enterprises; provided, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.

"(2) All non-construction contracts in which a portion of the work is subcontracted shall include the following requirements:

"(A) At least 35% of the dollar volume shall be subcontracted to small business enterprises; provided, that the costs of materials, goods, and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods, and supplies are purchased from small business enterprises; or

"(B) If there are insufficient qualified small business enterprises to completely fulfill the requirement of subparagraph (A) of this paragraph, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume to any certified business enterprises; provided, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.".

(2) Subsection (b) is amended by striking the phrase "local, small, or disadvantaged" wherever it appears and inserting the word "certified" in its place.

(3) Subsection (c) is amended by striking the phrase "local, small, or disadvantaged" wherever it appears and inserting the word "certified" in its place.

(4) Subsection (d) is amended by striking the phrase "local, small, or disadvantaged" wherever it appears and inserting the word "certified" in its place.

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(j) Section 2348 (D.C. Official Code § 2-218.48) is amended by striking the phrase "local, small, or disadvantaged businesses" both times it appears and inserting the phrase "certified business enterprises" in its place. Amend § 2-218.48

(k) Section 2349(a) (D.C. Official Code § 2-218.49(a)) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place. Amend § 2-218.49

(l) Section 2350 (D.C. Official Code § 2-218.50) is amended as follows: Amend § 2-218.50

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

"(b)(1)(A) A government corporation shall take all measures as shall be reasonably necessary to assure that all contracts entered into by the government corporation, or any agency or subsidiary of the government corporation, with respect to each major phase of the development and construction of a project undertaken by the government corporation, including contracts for professional services, architectural, engineering, and other construction-related services and construction trade work, shall provide that at least 35% of the work on the project shall be awarded to small business enterprises; provided, that the costs of materials, goods, and supplies shall not be counted towards the 35% subcontracting requirement unless such materials, goods, and supplies are purchased from small business enterprises.

"(B) If there are insufficient qualified small business enterprises to fulfill the small business enterprise contracting requirement, then the subcontracting requirement may be satisfied by subcontracting 35% of the dollar volume of the project to any certified business enterprises; provided, that all reasonable efforts shall be made to ensure that qualified small business enterprises are significant participants in the overall subcontracting work.".

(2) Subsection (f)(3) is amended by striking the phrase "local, small, and disadvantaged" and inserting the word "certified" in its place.

(3) Subsection (g)(2)(A) is amended by striking the phrase "Local, small, and disadvantaged" and inserting the word "Certified" in its place.

(m) Section 2351(e) (D.C. Official Code § 2-218.51(e)) is amended by striking the phrase "local, small, or disadvantaged" wherever it appears and inserting the word "certified" in its place. Amend § 2-218.51

(n) Section 2353 (D.C. Official Code § 2-218.53) is amended as follows: Amend § 2-218.53

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

(A) Paragraph (1)(D) is amended by striking the phrase "local, small, or disadvantaged".

(B) Paragraph (2)(A) is amended by striking the phrase "Local, small, and disadvantaged" and inserting the word "Certified" in its place.

(C) Paragraph (3)(A) is amended by striking the phrase "Local, small, and disadvantaged" and inserting the word "Certified" in its place.

(2) Subsection (b)(2)(A) is amended by striking the phrase "Local, small, and disadvantaged" and inserting the word "Certified" in its place.

(o) Section 2354 (D.C. Official Code § 2-218.54) is amended as follows: Amend § 2-218.54

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

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"(E) The actual dollar amount expended with each certified business enterprise.".

(2) Subsection (b)(3)(D) is amended by striking the phrase "local, small, or disadvantated".

(p) Section 2361(b) (D.C. Official Code § 2-218.61(b)) is amended by inserting the word "longtime" before the phrase "resident business" wherever it appears. **Amend § 2-218.61**

(q) Section 2371(a) (D.C. Official Code § 2-218.71(a)) is amended by striking the phrase "local, small, and disadvantaged" wherever it appears and inserting the word "certified" in its place. **Amend § 2-218.71**

Sec. 3. Section 2375 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), is amended as follows: **Amend § 2-218.75**

(a) Subsection (c)(2) is amended by inserting the word "section" before the term "2363(c)".

(b) Subsection (d) is designated as subsection (e).

(c) The second subsection designated as subsection (c) is re-designated as subsection (d).

Sec. 4. Fiscal impact statement.

The Council adopts the April 1, 2008, fiscal impact statement of the Chief Financial Officer 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Gray

Chairman
Council of the District of Columbia

Adrian M. Fenty

Mayor
District of Columbia
APPROVED
May 20, 2008

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AN ACT

D.C. ACT 17-380

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend the Community Access to Health Care Amendment Act of 2006 to credit all loan payments and proceeds arising from a disposition of Lots 3 and 4, Square 5919, to the Community Health Care Financing Fund; and to amend Chapter 46 of Title 47 of the District of Columbia Official Code to exempt from deed and recordation tax the transfer of Lots 3 and 4, Square 5919, to Specialty Hospital of Washington-GSE Holdings, LLC, and to exempt from taxation the land and improvements located in Lots 3 and 4, Square 5919.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "East of the River Hospital Revitalization Tax Exemption Amendment Act of 2008".

Amend § 7-1931

Sec. 2. Section 101(a) of the Community Access to Health Care Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-288; D.C. Official Code § 7-1931(a)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase "; and" and inserting a semicolon in its place.

(b) Paragraph (2) is amended by striking the period and inserting a semicolon in its place.

(c) New paragraphs (3) and (4) are added to read as follows:

"(3) All payments received from Greater Southeast Investment, L.P., relating to its loans of approximately $49 million to Specialty Hospitals of America, LLC, or certain of its subsidiaries; and

"(4) The District's share of any proceeds arising from a disposition of all or any part of the land and improvements on Lots 3 and 4, Square 5919.".

Sec. 3. Chapter 46 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 47-4614 to read as follows:

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"§ 47-4614. East of the river hospital tax exemptions.".

(b) A new section 47-4614 is added to read as follows:

Amend § 47-4614

"§ 47-4614. East of the river hospital tax exemptions.

"(a) The transfer of Lots 3 and 4, Square 5919, transferred to Specialty Hospitals of Washington-GSE Holdings, LLC, or certain of its subsidiary entities, shall be exempt from the tax imposed by § 42-1103 and § 47-903.

"(b) The real property, including land and improvements, designated for tax purposes as Lots 3 and 4, Square 5919, shall be exempt from the tax imposed by Chapter 8 of this title; provided, that the exemption shall commence on the date that Specialty Hospitals of America, LLC, or certain of its subsidiary entities, acquires the property and terminates on the earlier to occur of:

"(1) The date that the Mayor certifies to the District of Columbia Treasurer that Specialty Hospitals of America, LLC, or certain of its subsidiaries, or any party that subsequently acquires the property or any part thereof by purchase, lease, or exchange, fails to comply with the terms of an agreement between Specialty Hospital of America, LLC, or certain of its subsidiaries, and Greater Southeast Investment, L.P., to pay an amount equal to the real property taxes that the owner of the property would be obligated to pay on the property, or any part thereof, in the absence of this section; or

"(2) The date that the Mayor certifies to the District of Columbia Treasurer that the acquisition loan in the maximum principal amount of $29 million by Greater Southeast Investment, L.P., to Capitol Medical Center, LLC, and CMC Realty, LLC, has been paid in full.".

Sec. 4. 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. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

Vincent C. Orange
Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

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AN ACT

D.C. ACT 17-381

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend the Film DC Economic Incentive Act of 2006 to modify the incentives provided to qualified film and television production work in the District.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Film DC Economic Incentive Amendment Act of 2008".

Note, § 39-501

Sec. 2. (a) Section 2(b)(1)(A) of the Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501(b)(1)(A)), is amended by striking the phrase "the lesser of 10% of qualified expenses or"."

Sec. 3. 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. 4. 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 section 602(c)(1) of the District of Columbia Home Rule Act, approved December

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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
APPROVED
May 20, 2008

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AN ACT

D.C. ACT 17-382

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

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To amend, on a temporary basis, the District of Columbia Election Code of 1955 to allow 17-year-olds to pre-register to vote.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Student Voter Registration Temporary Amendment Act of 2008".

Note, § 1-1001.07

Sec. 2. Section 7 of the District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 703; D.C. Official Code § 1-1001.07), is amended as follows:

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

"(a-2) A person who is otherwise qualified may pre-register on or after that person's 17th birthday and may vote in any election occurring on or after that person's 18th birthday, but under no circumstances before the person's 18th birthday.".

(b) Subsection (b) is amended by adding a new paragraph (4) to read as follows:

"(4) The Board shall state on voter registration forms that no one may vote before his or her 18th birthday.".

(c) Subsection (e)(2) is amended by adding a new 2nd sentence to read as follows: "The voter registration notification shall state that the applicant shall not vote before her or his 18th birthday.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

(a) 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 section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

Vincent C. Orange

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
May 20, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-383

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

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To amend, on a temporary basis, the District of Columbia Housing Authority Act of 1999 to allow the District of Columbia Housing Authority to reserve 55 tenant-based assistance vouchers for extremely low-income veterans of the United States Armed Services.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Veterans Rental Assistance Temporary Amendment Act of 2008".

Note, § 6-228

Sec. 2. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a new subsection (c) to read as follows:

"(c)(1) The Authority shall reserve 55 tenant-based assistance vouchers supported by funding from the Rent Supplement Fund for persons who:

"(A) Are veterans of the United States Armed Services;

"(B) Are extremely low-income residents of the District of Columbia; and

"(C) Are referred to the Authority by the Office of Veterans Affairs.

"(2) The Authority shall accept referrals for vouchers made pursuant to this subsection for a period of 6 months from the effective date of the Veterans Rental Assistance Emergency Amendment Act of 2008, effective April 17, 2008 (D.C. Act 17-351; 55 DCR ___). Any tenant-based assistance vouchers not used to support persons who are referred to the Authority within the time period provided by this paragraph shall be available generally for the Rent Supplement Program.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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)).

ENROLLED ORIGINAL

Sec. 4. Effective date.

(a) 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 section 602(c)(1) of the District of Columbia Home Rule 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.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

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AN ACT

D.C. ACT 17-384

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To authorize, on a temporary basis, the issuance of grants for the redevelopment of the Howard Theatre and the revitalization of the 7th Street, N.W., neighborhood corridor; and to amend section 47-340.23 of the District of Columbia Official Code to permit the use of the grants for broader purposes.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Howard Theatre and 7th Street, N.W., Revitalization Grants Authorization Temporary Act of 2008".

Sec. 2. Grant allocations.

From funds available in the budget of the Office of the Deputy Mayor for Planning and Economic Development, the Mayor or Deputy Mayor for Planning and Economic Development may make the following grants:

(1) A grant of $8 million to Howard Theatre Restoration, Inc., for the rehabilitation of the Howard Theatre; and

(2) A grant or grants of up to $11.3 million to Broadcast Residential Partners, LLC, or Broadcast Center Partners, LLC, for the development of the Broadcast Center One project at 7th and S Streets, N.W.

Note, § 47-340.23

Sec. 3. Section 47-340.23(c)(1)(B) of the District of Columbia Official Code is amended by striking the phrase "for the purposes of gap financing economic assistance for" and inserting the phrase "for the purposes of issuing a grant to support" in its place.

Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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))

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Sec. 5. Effective date.

(a) 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 section 602(c)(1) of the District of Columbia Home Rule 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.

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

Chairman
Council of the District of Columbia

Mayor
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AN ACT

D.C. ACT 17-385

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend, on a temporary basis, the Rental Housing Conversion and Sale Act of 1980 to eliminate the vacancy exception to payment of a condo conversion fee, to not require payment of the condo conversion fee when a unit is sold to a low-income household, or existing tenants, including the elderly or disabled, or leased to the same who are low-income, and to impose penalties for non-payment or submission of the condo conversion fee within 30 days of settlement.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vacancy Exemption Repeal Temporary Amendment Act of 2008".

Sec. 2. Section 204 of the Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3402.04), is amended as follows:

Note, § 42–3402.04

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

"(a) For the purposes of this section, the term "low-income household" shall have the same meaning as provided in section 101(5) of the Inclusionary Zoning Implementation Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-275; D.C. Official Code § 6-1041.01(5)).".

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

"(b) The Mayor shall not require a conversion fee for a condominium unit, or the proportionate share value of a cooperative residence, that:

"(1) Is sold to a low-income household;

"(2) Is sold to the head of household; provided, that the head of household has resided in the unit for at least one year prior to the owner's application to the Mayor for conversion of the housing accommodation to a condominium or cooperative;

"(3) Is sold to an elderly or disabled tenant; provided, that the elderly or disabled tenant has resided in the unit for at least one year prior to the owner's application to the Mayor for conversion of the housing accommodation to a condominium or cooperative; and

"(A) Is 62 years of age or older; or

"(B) Has a disability as defined in section 3(2)(A) of the Americans with Disabilities Act of 1990, approved July 29, 1990 (104 Stat. 329; 42 U.S.C. § 12102(2)(A)), and

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29 C.F.R. § 1630.2(g)(1), as determined under section 208(c)(1)(B)(ii); or

"(4) Is not sold, but leased, to those persons set forth in paragraphs (1), (2), or (3) of this subsection; provided, that such person shall be a low-income household. A lease under this subsection shall not require monthly payments greater than 30% of gross household income.".

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

"(b-1)(1) The conversion fee required under this section shall be paid in full into an escrow account at the time of settlement on the sale of the unit or cooperative share, or lease of the unit or cooperative share not covered under subsection (b)(4) of this section.

"(2) An escrow agent, or the lessor or the lessor's agent, shall submit the conversion fee to the Mayor within 30 business days of settlement, together with a copy of the recordation and transfer tax form reflecting the sale price of each condominium unit or cooperative share.

"(3) The Mayor may impose civil fines, penalties, and fees for failure to submit the conversion fee to the Mayor, or any infraction of the provisions of this subsection, or any rules or regulations issued under the authority of this subsection, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801 *et seq.*) ("Civil Infractions Act"). Adjudication of any infraction of this act shall be pursuant to the Civil Infractions Act of 1985.".

Sec. 3. Repeal.

The Conversion Fee Clarification Temporary Amendment Act of 2008, signed by the Mayor on March 19, 2008 (D.C. Act 17-335; 55 DCR _____), is repealed.

Sec. 4. Applicability.

Applications filed on or before March 31, 2008 shall be considered under the law in effect on that date. Applications filed on or after April 1, 2008 shall be considered under the provisions of this act.

Sec. 5. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 6. Effective date.

(a) 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 section 602(c)(1) of the District of Columbia Home Rule 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.

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

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008

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Codification District of Columbia Official Code

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AN ACT

D.C. ACT 17-386

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend, on a temporary basis, section 47-2402(c) 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.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Cigarette Stamp Clarification Temporary Act of 2008".

Note, § 47-2402

Sec. 2. 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.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

(a) 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 section 602(c)(1) of the District of Columbia Home Rule Act, approved

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December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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

Vincent C Gray

Chairman
Council of the District of Columbia

Adrian Fenty

Mayor
District of Columbia
APPROVED
May 20, 2008

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AN ACT

D.C. ACT 17-387

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 20, 2008

To amend, on a temporary basis, section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008 to revise the applicability provision to clarify the sections that shall apply upon the receipt

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Supplemental Appropriations Release of Funds Temporary Amendment Act of 2008".

Sec. 2. Section 6 of the Fiscal Year 2008 Supplemental Appropriations Temporary Act of 2008, effective March 20, 2008 (D.C. Law 17-121; 55 DCR 1477), is amended as follows:

(a) The lead-in language is amended to read as follows:

"(a) Section 2(a)(1), (2), (3)(A), (4), (11), and (16) and 2(b)(1)(A) and (B), 2(c)(1) and (2) shall apply upon the receipt and approval of reprogramming requests:".

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

"(1)(A) For an amount of $33.5 million in annual operating funds for facility maintenance from the District of Columbia Public Schools to the Office of Public Education Facilities Modernization.

"(B) Notwithstanding a reprogramming of any portion of the $33.5 million, no amounts to be allocated under sections 2(a)(1), (2), (3)(A), (4), (11), and (16) and 2(b)(1)(A) and (B), 2(c)(1) and (2) shall be released until the entire $33.5 million has been reprogrammed as required by this paragraph.".

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director 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. 4. Effective date.

(a) 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

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as provided in section 602(c)(1) of the District of Columbia Home Rule 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.

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

Vincent C. Gray

Chairman
Council of the District of Columbia

Mayor
District of Columbia
APPROVED
May 20, 2008