

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-404

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008

To amend the District of Columbia Noise Control Act of 1977 to permit noise made during noncommercial public speaking during the daytime to be considered a noise disturbance if it otherwise satisfies the definition of a noise disturbance and exceeds 80 decibels when measured inside the nearest occupied residence in districts zoned R-1A, R-1B, R-2, R-3, or R-4, and to specify that the Mayor need not measure the decibel level of a noise to find a noise disturbance if the noise is made at night or does not involve noncommercial public speaking.

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

Sec. 2. Section 3(n) of the District of Columbia Noise Control Act of 1977, effective March 16, 1978 (D.C. Law 2-53; 20 DCMR § 2799.1), is amended by striking the last 2 sentences and inserting 3 new sentences in their place to read as follows: "A noise shall not be considered a noise disturbance if it is made during noncommercial public speaking during the daytime and does not exceed 80 decibels inside the nearest occupied residence in districts zoned R-1A, R-1B, R-2, R-3, or R-4. Except as it may otherwise conflict with the provisions of this act, all measurements of noise levels shall be performed and verified by qualified inspectors of the Department of Consumer and Regulatory Affairs in accordance with the requirements specified in Chapter 29 of Title 20 of the District of Columbia Municipal Regulations. If the noise is made at night or does not involve noncommercial public speaking, the Mayor shall not be required to measure the decibel level of the noise to find a noise disturbance.".

DCMR

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)).

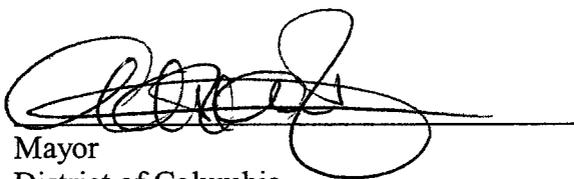
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Sec. 4. Effective date.

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 18, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-405

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Fall
Supp.West Group
Publisher

To establish the District of Columbia Financial Literacy Council and to provide for the financial education of the students of the District of Columbia Public Schools.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Financial Literacy Council Establishment Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Financial literacy" means the ability to make informed decisions about one's personal finances, based on an understanding of the principles of credit, debt, savings and investments, depository institutions, interest, and budgeting.

(2) "Financial Literacy Council" means the District of Columbia Financial Literacy Council.

Sec. 3. Financial literacy education in schools.

The Mayor shall submit to the Council, within 180 days after the effective date of this act, a plan for the implementation of financial literacy education in public schools.

Sec. 4. Establishment of the District of Columbia Financial Literacy Council.

There is established the District of Columbia Financial Literacy Council to assist and advise the Mayor and the Council in promoting the financial literacy of the residents of the District.

Sec. 5. Members of the Financial Literacy Council.

(a) The Financial Literacy Council shall consist of 9 members, as follows:

(1) One member shall be appointed by the Chairman of the Council.

(2) One member shall be appointed by the chairperson of the Council committee with oversight of the Department of Insurance, Securities, and Banking.

(3) One member shall be appointed by the Chief Financial Officer.

(4) Six members shall be appointed by the Mayor and shall be comprised of:

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(A) One member who shall represent the Department of Insurance, Securities, and Banking;

(B) One member who shall represent the District of Columbia Public Schools; and

(C) Four members who shall be District residents with extensive knowledge of financial institutions, personal finance, and financial literacy programs.

(b) Members shall not be compensated for their service on the Financial Literacy Council.

(c) Members shall serve for terms of 4 years; provided, that of the initial members appointed:

(1) Members appointed under subsection (a)(4)(C) of this section shall serve initial terms of 2 years; and

(2) Members appointed under subsections (a)(1), (a)(2), (a)(3), (a)(4)(A), and (a)(4)(B) of this section shall serve initial terms of 4 years.

(d) The Mayor shall designate one member as the chairperson. The designated member shall serve as chairperson until the conclusion of his or her current term of membership.

Sec. 6. Duties of the Financial Literacy Council.

The Financial Literacy Council shall:

(1) Meet at least quarterly;

(2) Create and operate under its own rules of procedure;

(3) Develop a plan, to be submitted to the Mayor and the Council within 6 months after the effective date of this act, for the coordination of the District's various financial literacy efforts;

(4) Submit to the Mayor and the Council an annual report and recommendations on the financial literacy status of the District, with the first report and recommendations to be delivered within 12 months of the effective date of this act;

(5) In the first report, the Council shall endeavor to address, among other issues, matters related to District residents' recovery from foreclosure, bankruptcy, and consumer rights; and

(6) Submit to the Mayor and Council other reports and recommendations as it considers useful for the promotion of financial literacy in the District.

Sec. 7. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated April 25, 2008, 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)).

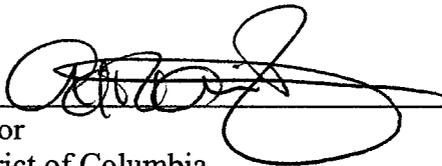
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Sec. 8. Effective date.

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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 18, 2008

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-406

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008

*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Fall
Supp.West Group
Publisher

To amend AN ACT To provide a People's Counsel for the Public Service Commission in the District of Columbia, and for other purposes to fix the compensation of the People's Counsel at the maximum rate of Level II of the Senior Executive Attorney Service.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Compensation and Holdover Clarification Amendment Act of 2008".

Sec. 2. Section 1(b) of AN ACT To provide a People's Counsel for the Public Service Commission in the District of Columbia, and for other purposes, approved January 2, 1975 (88 Stat. 1975; D.C. Official Code § 34-804(b)), is amended as follows:

Amend
§ 34-804

(a) Strike the phrase "Level III" and insert the phrase "Level II" in its place.

(b) Strike the phrase "at the midpoint rate" and insert the phrase "at the maximum rate" in its place.

Sec. 3. Fiscal impact statement

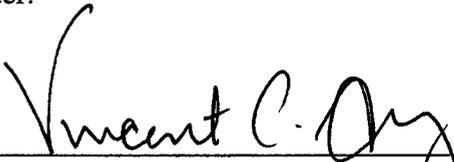
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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

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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.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 18, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-407

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Fall
Supp.West Group
Publisher

To amend Chapter 3 of Title 25 of the District of Columbia Official Code to prohibit the sale of single containers of alcoholic beverages by off-premises retailers located in Ward 7, to prohibit the sale of single containers of alcoholic beverages by off-premises retailers located in Ward 8, and to eliminate the sunset date on the prohibition on the sale of individual containers of beer, malt liquor, or ale in targeted areas of Ward 4.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Wards 4, 7, and 8 Anti-Sale of Single Containers of Alcoholic Beverages Act of 2008".

Sec. 2. Chapter 3 of Title 25 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Subchapter III is amended by adding 2 new section designations to read as follows:

"25-342. Special restrictions for off-premises retailer's license in Ward 7.

"25-343. Special restrictions for off-premises retailer's license in Ward 8."

(b) New sections 25-342 and 25-343 are added to read as follows:

"§ 25-342. Special restrictions for off-premises retailer's license in Ward 7.

"(a) For the purposes of this section, the term "Ward 7" means the area defined as Ward VII in § 1-1041.03(a) on the effective date of this section.

"(b) A licensee under an off-premises retailer's license in Ward 7, class A or B, shall not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less.

"(c) A licensee under an off-premises retailer's license in Ward 7, class A or B, shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less.

"§ 25-343. Special restrictions for off-premises retailer's license in Ward 8.

"(a) For the purposes of this section, the term "Ward 8" means the area defined as Ward VIII in § 1-1041.03(a) on the effective date of this section.

New
§ 25-342New
§ 25-343

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“(b) A licensee under an off-premises retailer's license in Ward 8, class A or B, shall not divide a manufacturer's package of more than one container of beer, malt liquor, or ale, to sell an individual container of the package if the capacity of the individual container is 70 ounces or less.

“(c) A licensee under an off-premises retailer's license in Ward 8, class A or B, shall not sell, give, offer, expose for sale, or deliver an individual container of beer, malt liquor, or ale with a capacity of 70 ounces or less.”.

(c) Section 25-341(d) is repealed.

Sec. 3. Rulemaking.

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.*), may issue rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 30-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 the 30-day review period, the proposed rules shall be deemed approved.

Sec. 4. Fiscal impact statement.

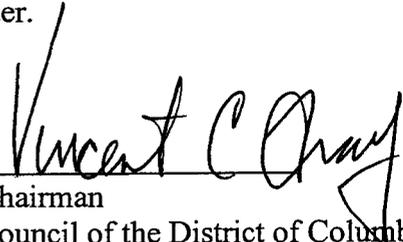
The Council adopts the June 3, 2008 fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

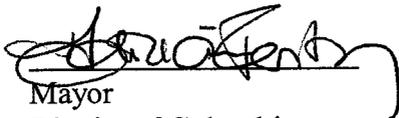
Sec. 5. Effective date.

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.


Chairman
Council of the District of Columbia


Mayor
District of Columbia
APPROVED
June 18, 2008

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-408

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2008 Fall
 Supp.

West Group
 Publisher

To amend the Business Improvement Districts Act of 1996 to add a designated property to the Golden Triangle BID and to revise the rates of the assessments.

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

Sec. 2. Section 202 of the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 15-257; D.C. Official Code § 2-1215.52), is amended as follows:

Amend
 § 2-1215.52

(a) Subsection (b) is amended by adding a new paragraph (3) to read as follows:

“(3) Square 166, Lot 42.”.

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

“(c)(1) For the purposes of this subsection, the terms “Class 2 Property” and “Class 3 Property” shall have the same meanings as provided in D.C. Official Code § 47-813, as such provision is in effect on the effective date of the Golden Triangle BID Amendment Act of 2008, passed on 2nd reading on June 3, 2008 (Enrolled version of Bill 17-597).

“(2) The BID taxes for nonexempt real properties in the Golden Triangle BID shall be:

“(A) For tax years 2009 and 2010:

“(i)(I) Eleven cents for each net rentable square foot of improved Class 2 Property and Class 3 Property, excluding hotels, for any property for which the owner is required to report net rentable area to the Office of Tax and Revenue or for which the Office of Tax and Revenue has records indicating the net rentable area of the property.

“(II) Net rentable square feet shall be the number of net rentable square feet reported to, or on record with, the Office of Tax and Revenue;

“(ii)(I) Eleven cents for each equivalent net rentable square foot of improvements of improved Class 2 Property and Class 3 Property, excluding hotels, for any property for which the owner is not required to report net rentable area to the Office of Tax and Revenue and for which the Office of Tax and Revenue maintains no record of net rentable area.

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“(II) Equivalent net rentable area shall be 90% of the gross building area.

“(III) Gross building area shall be determined using any method that is recognized generally in the District metropolitan area as an appropriate method for measuring gross building area; and

“(iii)(I) Eight cents for each equivalent net rentable square foot of improvements of hotels.

“(II) Equivalent net rentable areas shall be 90% of the gross building area; and

“(B) For tax years 2011 and thereafter:

“(i)(I) Fourteen and one-half cents for each net rentable square foot of improved Class 2 Property and Class 3 Property, excluding hotels, for any property for which the owner is required to report net rentable area to the Office of Tax and Revenue or for which the Office of Tax and Revenue has records indicating the net rentable area of the property.

“(II) Net rentable square feet shall be the number of net rentable square feet reported to, or on record with, the Office of Tax and Revenue;

“(ii)(I) Fourteen and one-half cents for each equivalent net rentable square foot of improvements of improved Class 2 Property and Class 3 Property, excluding hotels, for any property for which the owner is not required to report net rentable area to the Office of Tax and Revenue and for which the Office of Tax and Revenue maintains no record of net rentable area.

“(II) Equivalent net rentable area shall be 90% of the gross building area; and

“(iii)(I) Eleven and one-half cents for each equivalent net rentable square foot of improvements of hotels.

“(II) Equivalent net rentable areas shall be 90% of the gross building area.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer, dated May 14, 2008, 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
June 18, 2008

ENROLLED ORIGINAL

AN ACT

D.C. ACT 17-409

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008

To approve the request of the District of Columbia government for appropriation and authorization for the fiscal year ending September 30, 2009.

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

Sec. 2. The Council of the District of Columbia approves the following expenditure levels and appropriation language for the government of the District of Columbia for the fiscal year ending September 30, 2009.

**DIVISION A
DISTRICT OF COLUMBIA APPROPRIATION REQUEST
TITLE I--FEDERAL FUNDS**

DISTRICT OF COLUMBIA COURTS

THE DISTRICT OF COLUMBIA COURT SYSTEM

Federal Payment to the Court Services and Offender Supervision Agency for the District of Columbia

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$202,490,000, of which not to exceed \$2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed \$25,000 is for dues and assessments relating to the implementation of the Court Services and Offender

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Supervision Agency Interstate Supervision Act of 2002; of which not to exceed \$400,000 for the Community Supervision Program and \$160,000 for the Pretrial Services Program, both to remain available until September 30, 2010, for information technology infrastructure enhancement acquisitions; of which \$147,652,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services or related to such persons; of which \$54,838,000 shall be available to the Pretrial Services Agency; provided, that notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies; provided further, that not less than \$1,000,000 shall be available for re-entrant housing in the District of Columbia; provided further, that the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs and equipment and vocational training services to educate and train offenders and defendants; provided further, that the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection; provided further, that the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the District of Columbia Government for space and services provided on a cost-reimbursable basis.

Federal Payment to the District of Columbia Public Defender Service

For salaries and expenses, including the transfer and hire of motor vehicles, of the District of Columbia Public Defender Service, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, \$35,659,000; provided, that notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of Federal agencies.

Federal Payment to the District of Columbia Courts

For salaries and expenses for the District of Columbia Courts, \$223,920,000 to be allocated as follows: for the District of Columbia Court of Appeals, \$12,630,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, \$104,277,000, of which not to exceed \$1,500 is for official reception and representation expenses; for the District of Columbia Court System, \$55,426,000, of which not to exceed \$1,500 is for official reception and representation expenses; and \$51,587,000, to remain available until September 30, 2010, for capital improvements for District of Columbia courthouse facilities, including structural improvements to the District of Columbia cell block at the Moultrie Courthouse; provided, that funds made available for capital improvements shall be expended consistent with the General Services Administration ("GSA") master plan study and

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building evaluation report; provided further, that notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate; provided further, that 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than \$1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 % of the funds provided under this heading for facilities.

Defender Services in District of Columbia Courts

For payments authorized under section 11-2604 and section 11-2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance, and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Official Code, and payments for counsel authorized under section 21-2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), \$47,975,000, to remain available until expended; provided, that in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading "Federal Payment to the District of Columbia Courts" (other than the \$51,587,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year; provided further, that funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia; provided further, that notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with GSA, and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Oversight and Government Reform of the House of Representatives, and the

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Committee on Homeland Security and Governmental Affairs of the Senate.

DISTRICT OF COLUMBIA GENERAL AND SPECIAL PAYMENTS**Federal Payment for Resident Tuition Support**

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, \$35,100,000, to remain available until expended; provided, that such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to \$2,500 each year at eligible private institutions of higher education; provided further, that the awarding of such funds may be prioritized on the basis of a resident's academic merit, income, and need of eligible students and such other factors as may be authorized; provided further, that the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program ("Program") that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year; provided further, that the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Program; provided further, that the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor.

Federal Payment for School Improvement

For a Federal payment for a school improvement program in the District of Columbia, \$54,000,000, to be allocated as follows: for the District of Columbia Public Schools, \$18,000,000 to improve public school education in the District of Columbia; for the Office of the State Superintendent of Education, \$18,000,000 to expand quality public charter schools in the District of Columbia, to remain available until expended; for the Secretary of the Department of Education, \$18,000,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004, approved January 23, 2004 (Pub. L. No. 108-199; 118 Stat. 126), of which up to \$1,000,000 may be used to administer and fund assessments.

Federal Payment to Jump-Start Public School Reform

For a Federal payment to jump-start public school reform in the District of Columbia, \$20,000,000, of which \$3,500,000 is to support the recruitment, development, and training of principals and other school leaders; \$7,000,000 is to develop optimal school programs and intervene in low-performing schools; \$7,500,000 is for a customized data-reporting and

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accountability system on student performance as well as increased outreach and training for parents and community members; and \$2,000,000 is to support data-reporting requirements associated with the District of Columbia Public Schools teacher incentive program; provided, that up to \$500,000 or 10 %, whichever is less, of the amounts above may be transferred as necessary from one activity to another activity; provided further, that the President and the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the transfer; provided further, that any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

Federal Payment to the District of Columbia Water and Sewer Authority

For a Federal payment to the District of Columbia Water and Sewer Authority, \$14,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan; provided, that the District of Columbia Water and Sewer Authority provides a 100 % match for this payment.

Federal Payment to the Criminal Justice Coordinating Council

For a Federal payment to the Criminal Justice Coordinating Council, \$1,774,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

Federal Payment for Consolidated Laboratory Facility

For a Federal payment to the District of Columbia, \$5,000,000, to remain available until September 30, 2010, for costs associated with the construction of a consolidated bioterrorism and forensics laboratory; provided, that the District of Columbia provides a 100 % match for this payment.

Federal Payment for Central Library and Branch Locations

For a Federal payment to the District of Columbia, \$7,000,000, to remain available until expended, for the Federal contribution for costs associated with the renovation and rehabilitation of District libraries.

Federal Payment to Reimburse the Federal Bureau Of Investigation

For a Federal payment to the District of Columbia, \$5,000,000, to remain available until September 30, 2011, for reimbursement to the Federal Bureau of Investigation for additional laboratory services.

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Federal Payment for Emergency Planning and Security Costs in the District of Columbia

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, \$15,000,000, to remain available until expended, to finance the District of Columbia's costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions.

TITLE II--DISTRICT OF COLUMBIA FUNDS--SUMMARY OF EXPENSES

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the General Fund of the District of Columbia ("General Fund"), except as otherwise specifically provided; provided, that notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2009 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or \$10,011,240,000 (of which \$6,203,795,000 shall be from local funds (including \$441,319,000 from dedicated taxes), \$2,177,382,000 shall be from Federal grant funds, \$1,623,754,000 shall be from other funds, and \$6,310,000 shall be from private funds); in addition, \$156,874,000 from funds previously appropriated in this Act as Federal payments; provided further, that of the local funds, such amounts as may be necessary may be derived from the District's General Fund balance; provided further, that of these funds the District's intra-District authority shall be \$725,461,000; in addition, for capital construction projects, an increase of \$1,482,977,000, of which \$1,121,734,000 shall be from local funds, \$107,794,000 from the Local Street Maintenance fund, \$60,708,000 from the District of Columbia Highway Trust Fund, \$192,741,000 from Federal grant funds, and a rescission of \$353,447,000 from local funds and a rescission of \$37,500,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years for a net amount of \$1,092,030,000 to remain available until expended; provided further, that the amounts provided under this heading are to be available, allocated, and expended as proposed under Title III of this Act, at the rate set forth under "District of Columbia Funds Division of Expenses" as included in the Fiscal Year 2009 Proposed Budget and Financial Plan submitted to the Congress by the District of Columbia in June 2008; provided further, that this amount may be increased by proceeds of one-time transactions that are expended for emergency or unanticipated operating or capital needs; provided further, that such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act approved December 24, 1973 (87 Stat. 777; D.C. Official Code §1-201.01 *et seq.*), as amended by this Act; provided further, that the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements,

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including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2009; except, that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

**TITLE III--DISTRICT OF COLUMBIA FUNDS - - DIVISION OF EXPENSES
OPERATING EXPENSES**

Governmental Direction and Support

Governmental direction and support, \$438,701,000 (including \$361,097,000 from local funds, \$25,196,000 from Federal grant funds, and \$52,408,000 from other funds); provided, that beginning in fiscal year 2009 and thereafter, there are appropriated such amounts as may be necessary to account for vendor fees that are paid as a fixed percentage of revenue recovered from third parties on behalf of the District under contracts that provide for payments of fees based upon such revenue as may be collected by the vendor; provided further, that any program fees collected from the issuance of debt shall be available for the payment of expenses of the debt management program of the District of Columbia. Funds to be allocated as follows:

- (1) Council of the District of Columbia. – \$21,027,000 from local funds; provided, that not to exceed \$10,600 shall be available for the Chairman of the Council of the District of Columbia from this appropriation for official reception and representation expenses;
- (2) Office of the District of Columbia Auditor. – \$4,165,000 from local funds;
- (3) Advisory Neighborhood Commission. – \$1,092,000 from local funds;
- (4) Office of the Mayor. – \$6,289,000 from local funds; provided, that not to exceed \$10,600 shall be available for the Mayor from this appropriation for official reception and representation expenses;
- (5) Office of Community Affairs. – \$3,345,000 from local funds;
- (6) Serve DC. – \$3,734,000 (including \$410,000 from local funds and \$3,323,000 from Federal grant funds);
- (7) Office of the Secretary. – \$4,593,000 (including \$4,031,000 from local funds and \$562,000 from other funds);
- (8) City Administrator. - \$5,974,000 from local funds; provided, that not to exceed \$10,600 shall be available for the City Administrator from this appropriation for official reception and representation expenses;
- (9) Office of Risk Management. – \$1,480,000 from local funds;
- (10) Department of Human Resources. – \$10,523,000 (including \$10,117,000 from local funds and \$406,000 from other funds);
- (11) Office of Disability Rights. – \$1,568,000 from local funds;
- (12) Office of Finance and Resource Management. – \$4,875,000 from local funds;
- (13) Office of Partnership and Grants Services. – \$1,038,000 from local funds;

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(14) Office of Contracting and Procurement. – \$6,744,000 (including \$5,718,000 from local funds and \$1,026,000 from other funds);

(15) Office of Chief Technology Officer. – \$58,714,000 (including \$58,614,000 from local funds and \$100,000 from other funds);

(16) Office of Property Management. – \$27,529,000 (including \$19,208,000 from local funds and \$8,321,000 from other funds); provided, that, beginning in fiscal year 2009, amounts on deposit within and any such future deposits into the Commodities Cost Reserve Fund established under D.C. Official Code § 47-368.04 shall be available upon deposit and shall remain available until expended, consistent with the purposes established under D.C. Official Code § 47-368.04(b);

(17) Contract Appeals Board. – \$1,038,000 from local funds;

(18) Board of Elections and Ethics. – \$5,496,000 from local funds;

(19) Office of Campaign Finance. – \$1,721,000 from local funds;

(20) Public Employee Relations Board. – \$1,011,000 from local funds;

(21) Office of Employee Appeals. – \$1,863,000 from local funds;

(22) Metropolitan Washington Council of Governments. – \$396,000 from local funds;

(23) Office of the Attorney General. – \$88,669,000 (including \$65,216,000 from local funds, \$19,001,000 from Federal grant funds, and \$4,452,000 from other funds); provided, that not less than \$3,285,000 shall be available from this appropriation for the Office of the Attorney General to award a grant to the District of Columbia Bar Foundation for the purpose of providing support to nonprofit organizations that deliver civil legal services to low-income and under-served District residents pursuant to the Civil Legal Services Amendment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-301.114); provided further, that not less than \$315,000 of this appropriation shall be available to fund the District of Columbia Poverty Lawyer Loan Assistance Program, established by 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 § 1-308.21 *et seq.*);

(24) Office of the Inspector General. – \$17,312,000 (including \$15,317,000 from local funds and \$1,995,000 from Federal grant funds); and

(25) Office of the Chief Financial Officer. – \$158,503,000 (including \$120,085,000 from local funds, \$878,000 from Federal grant funds, and \$37,541,000 from other funds); provided, that not to exceed \$10,600 shall be available for the Chief Financial Officer of the District from this appropriation for official reception and representation expenses; provided further, that amounts appropriated by this Act may be increased by the amount required to pay banking fees for maintaining the funds of the District of Columbia.

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Economic Development and Regulation

Economic development and regulation, \$509,238,000 (including \$269,075,000 from local funds (including \$49,773,000 from dedicated taxes), \$99,849,000 from Federal grant funds, \$140,234,000 from other funds, and \$80,000 from private funds) of which \$25,000,000 collected by the District of Columbia in the form of Business Improvement District ("BID") tax revenue shall be paid to the respective BIDs pursuant to the Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*); provided, that such funds are available for acquiring services provided by GSA; provided further, that Business Improvement Districts shall be exempt from taxes levied by the District of Columbia. Funds to be allocated as follows:

(1) Deputy Mayor for Economic Development. – \$85,259,000 (including \$52,499,000 from local funds (including \$16,998,000 from dedicated taxes) and \$32,760,000 from other funds); provided, that \$4,000,000 from local funds shall remain available until expended for New Communities Human Capital;

(2) Office of Planning. – \$10,093,000 (including \$9,628,000 from local funds, \$450,000 from Federal grant funds, and \$15,000 from other funds); provided, that of the local funds provided to the Office of Planning in fiscal year 2008 for Historic Preservation, \$1,000,000 shall remain available until expended;

(3) Department of Small and Local Business Development. – \$3,472,000 from local funds; provided, that amounts appropriated herein may be increased by the balance of amounts on deposit as of October 01, 2008 in the Small Business Micro Loan Fund established under the Small Business Micro Loan Fund Amendment Act of 2008, passed on 1st reading on May 13, 2008 (Engrossed version of Bill 17-678);

(4) Office of Motion Pictures and Television. – \$684,000 from local funds; provided, that of the local funds provided to the Office of Motion Pictures and Television in fiscal year 2008 for DC Film grant initiative, up to \$1,600,000 shall remain available until expended;

(5) Office of Zoning. – \$3,139,000 from local funds;

(6) Department of Housing and Community Development. – \$101,401,000 (including \$32,859,000 from local funds, \$63,877,000 from Federal grant funds, and \$4,666,000 from other funds);

(7) Department of Employment Services. – \$132,259,000 (including \$62,315,000 from local funds, \$34,739,000 from Federal grant funds, \$35,124,000 from other funds, and \$80,000 from private funds); provided, that of the local funds appropriated, up to 1% may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families and used for the purposes set forth in D.C. Official Code § 4-1345.03; provided further, that funds deposited into the Integrated Services Fund shall remain available until expended; provided further, that the District is authorized to transfer, either through a grant or as a direct payment,

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\$1,200,000 in local funds to the Excel Institute from this appropriation;

(8) Board of Real Property Assessment and Appeals. – \$727,000 from local funds;

(9) Department of Consumer and Regulatory Affairs. – \$39,157,000 (including \$19,868,000 from local funds and \$19,288,000 from other funds);

(10) Office of the Tenant Advocate. – \$2,652,000 (including \$964,000 from local funds and \$1,688,000 from other funds);

(11) Commission on Arts and Humanities. – \$14,518,000 (including \$13,517,000 from local funds, \$601,000 from Federal grant funds, and \$400,000 from other funds);

(12) Alcoholic Beverage Regulation Administration. – \$7,389,000 (including \$1,144,000 from local funds and \$6,245,000 from other funds);

(13) Public Services Commission. – \$9,972,000 (including \$182,000 from Federal grant funds and \$9,790,000 from other funds);

(14) Office of the People's Counsel. – \$5,025,000 from other funds;

(15) Department of Insurance, Securities, and Banking. – \$18,143,000 from other funds; provided, that of the local funds provided the Department of Insurance, Securities, and Banking in fiscal year 2008 for Captive Insurance, \$8,700,000 shall remain available until expended;

(16) Office of Cable Television. – \$7,089,000 from other funds;

(17) Housing Authority Subsidy Payment. – \$32,983,000 from local funds;

(18) Housing Production Trust Fund Subsidy Payment. – \$32,775,000 from local funds (including \$32,775,000 from dedicated taxes); and

(19) Sports Commission Subsidy Payment. – \$2,500,000 from local funds.

Public Safety and Justice

Public safety and justice, \$1,287,835,000 (including \$956,087,000 from local funds, \$260,786,000 from Federal grant funds, \$70,877,000 from other funds, and \$85,000 from private funds); in addition, \$1,774,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council" and \$5,000,000, to remain available until September 30, 2011, from funds previously appropriated in this Act under the heading "Federal Payment to Reimburse the Federal Bureau of Investigation"; to be allocated as follows:

(1) Metropolitan Police Department. – \$485,413,000 (including \$469,565,000 from local funds, \$3,067,000 from Federal grant funds, \$12,695,000 from other funds, and \$85,000 from private funds) and \$5,000,000, to remain available until September 30, 2011, from funds previously appropriated in this Act under the heading "Federal Payment to Reimburse the Federal Bureau of Investigation"; provided, that not to exceed \$750,000 shall be available from this appropriation for the Chief of Police for the prevention and detection of crime;

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- (2) Fire and Emergency Medical Services. – \$185,995,000 (including \$185,171,000 from local funds and \$824,000 from other funds);
- (3) Police Officers and Firefighters Retirement System. – \$110,900,000 from local funds;
- (4) Department of Corrections. – \$149,774,000 (including \$116,086,000 from local funds and \$33,688,000 from other funds);
- (5) District of Columbia National Guard. – \$8,358,000 (including \$3,371,000 from local funds and \$4,987,000 from Federal grant funds); provided, that the Mayor shall reimburse the District of Columbia National Guard for expenses incurred in connection with services that are performed in emergencies by the National Guard in a militia status and are requested by the Mayor, in amounts that shall be jointly determined and certified as due and payable for these services by the Mayor and the Commanding General of the District of Columbia National Guard; provided further, that such sums as may be necessary for reimbursement to the District of Columbia National Guard under the preceding proviso shall be available from this Act, and the availability of the sums shall be deemed as constituting payment in advance for emergency services involved;
- (6) Homeland Security and Emergency Management. – \$249,628,000 (including \$4,700,000 from local funds and \$244,927,000 from Federal grant funds);
- (7) Commission on Judicial Disabilities and Tenure. – \$271,000 from local funds;
- (8) Judicial Nomination Commission. – \$152,000 from local funds;
- (9) Office of Police Complaints. – \$2,628,000 from local funds;
- (10) District of Columbia Sentencing and Criminal Code Review Commission. – \$779,000 from local funds;
- (11) Office of the Chief Medical Examiner. – \$10,473,000 (including \$10,199,000 from local funds and \$274,000 from other funds);
- (12) Officer of Administrative Hearings. – \$7,795,000 (including \$7,762,000 from local funds and \$32,000 from other funds);
- (13) Corrections Information Council. – \$115,000 from local funds;
- (14) Criminal Justice Coordinating Council. – \$404,000 from local funds; in addition, \$1,774,000 from funds previously appropriated in this Act under the heading "Federal Payment to the Criminal Justice Coordinating Council";
- (15) Forensic Laboratory Technician Training Program. – \$1,656,000 from local funds;
- (16) Office of Unified Communications. – \$49,585,000 (including \$36,396,000 from local funds and \$13,189,000 from other funds);
- (17) Office of Victims Services. – \$15,952,000 (including \$4,013,000 from local funds, \$2,040,000 from Federal grant funds, and \$9,899,000 from other funds);
- (18) Office of Justice Grants Administration. – \$7,209,000 (including \$1,444,000

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from local funds and \$5,765,000 from Federal grant funds); and

(19) Motor Vehicle Theft Prevention Commission. – \$750,000 (including \$475,000 from local funds and \$275,000 from other funds).

Public Education System

Public Education System, including the development of national defense education programs, \$1,608,797,000 (including \$1,401,649,000 from local funds, \$170,889,000 from Federal grant funds, \$32,420,000 from other funds, and \$3,839,000 from private funds); in addition, \$35,100,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support", \$36,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement in the District of Columbia," and \$20,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to Jump-Start Public School Reform," to be allocated as follows:

(1) District of Columbia Public Schools.— \$579,078,000 (including \$562,109,000 from local funds, \$9,514,000 from Federal grant funds, \$3,671,000 from other funds, and \$3,784,000 from private funds); in addition, \$18,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement" and \$20,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to Jump-Start Public School Reform" shall be available for District of Columbia Public Schools; provided, that this appropriation shall not be available to subsidize the education of any nonresident of the District of Columbia at any District of Columbia public elementary or secondary school during fiscal year 2009 unless the nonresident pays tuition to the District of Columbia at a rate that covers 100 % of the costs incurred by the District of Columbia that are attributable to the education of the nonresident (as established by the Chancellor of the District of Columbia Public Schools); provided further, that not to exceed \$10,600 for the Chancellor shall be available from this appropriation for official reception and representation expenses; provided further, that notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia Public Schools on July 1, 2009, an amount equal to 10 % of the total amount of the local funds appropriations request provided for the District of Columbia Public Schools in the proposed budget of the District of Columbia for fiscal year 2010 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the District of Columbia Public Schools under the District of Columbia Appropriations Act, 2010;

(2) Office of the State Superintendent of Education.— \$290,996,000 (including \$119,894,000 from local funds, \$160,535,000 from Federal grant funds, and \$10,567,000 from other funds); in addition, \$35,100,000 from funds previously appropriated in this Act under the heading "Federal Payment for Resident Tuition Support" shall be available for the Office of the State Superintendent of Education and \$18,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for School Improvement in the District of Columbia"

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shall be available for the Office of the State Superintendent of Education; provided, that of the amounts provided to the Office of the State Superintendent of Education, \$1,000,000 from local funds shall remain available until June 30, 2010, for an audit of the student enrollment of each District of Columbia public school and of each District of Columbia public charter school; provided further, that \$5,000,000 in local funds shall remain available until expended for the *Blackman and Jones v. District of Columbia* consent decree; provided further, that notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the Office of the State Superintendent of Education on July 1, 2009, an amount equal to 10 % of the total amount of the local funds appropriations request provided for the Office of the State Superintendent of Education in the proposed budget of the District of Columbia for fiscal year 2010 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for Office of the State Superintendent of Education under the District of Columbia Appropriations Act, 2010; provided further, that notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the Special Education Transportation agency, under the direction of the Office of the State Superintendent of Education, on July 1, 2009, an amount equal to 10 % of the total amount of the local funds appropriations request provided for the Special Education Transportation agency in the proposed budget of the District of Columbia for fiscal year 2010 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the Special Education Transportation agency under the District of Columbia Appropriations Act, 2010; provided further, that any unspent funds from the \$960,000 available for pre-kindergarten from a prior fiscal year shall remain available until expended;

(3) District of Columbia Public Charter Schools.— \$366,053,000 from local funds shall be available for District of Columbia public charter schools; provided, that there shall be quarterly disbursement of funds to the District of Columbia public charter schools, with the first payment to occur within 15 days of the beginning of the fiscal year; provided further, that if the entirety of this allocation has not been provided as payments to any public charter schools currently in operation through the per pupil funding formula, the funds shall remain available until expended for public education in accordance with section 2403(b) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)); provided further, that of the amounts made available to District of Columbia public charter schools, \$100,000 shall be made available to the Office of the Chief Financial Officer as authorized by section 2403(b)(5) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1804.03(b)(5)); provided further, that notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the District of Columbia public charter schools on July 1, 2009, an amount equal to 25 % of the total amount of the local funds appropriations request provided for payments to public charter schools in the proposed budget of

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the District of Columbia for fiscal year 2010 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for such payments under the District of Columbia Appropriations Act, 2010; provided further, that the annual financial audit for the performance of an individual District of Columbia public charter school shall be funded by the charter school;

(4) University of the District of Columbia Subsidy.— \$62,070,000 from local funds shall be available for the University of the District of Columbia subsidy; provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2009, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area; provided further, that notwithstanding the amounts otherwise provided under this heading or any other provision of law, there shall be appropriated to the University of the District of Columbia on July 1, 2009, an amount equal to 10 % of the total amount of the local funds appropriations request provided for the University of the District of Columbia in the proposed budget of the District of Columbia for fiscal year 2010 (as submitted to Congress), and the amount of such payment shall be chargeable against the final amount provided for the University of the District of Columbia under the District of Columbia Appropriations Act, 2010; provided further, that not to exceed \$10,600 for the President of the University of the District of Columbia shall be available from this appropriation for official reception and representation expenses;

(5) District of Columbia Public Libraries.— \$46,595,000 (including \$45,255,000 from local funds, \$840,000 from Federal grant funds, \$444,000 from other funds, and \$55,000 from private funds) shall be available for the District of Columbia Public Libraries; provided, that not to exceed \$8,500 for the Public Librarian shall be available from this appropriation for official reception and representation expenses;

(6) Public Charter School Board. —\$3,460,000 (including \$1,660,000 from local funds and \$1,800,000 from other funds);

(7) Office of the Deputy Mayor for Education. —\$4,917,000 from local funds; provided, that amounts appropriated herein shall be increased by \$4,000,000, the amount currently on deposit in the Integrated Services Fund September 30, 2008, to remain available until expended and increased by funds appropriated elsewhere in this Act for transfer to the Integrated Service Fund for the purposes set forth in D.C. Official Code § 4-1345.03;

(8) Office of Public Education Facilities Modernization. — \$38,369,000 (including \$22,431,000 from local funds and \$15,938,000 from other funds);

(9) Non-Public Tuition. — \$141,700,000 from local funds; and

(10) Special Education Transportation. — \$75,558,000 from local funds.

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Human Support Services

Human support services, \$3,211,223,000 (including \$1,598,864,000 from local funds (including \$24,949,000 from dedicated taxes), \$1,579,242,000 from Federal grant funds, \$32,002,000 from other funds, \$1,114,000 from private funds); provided, that up to 1% of the local funds appropriated for the Child Family and Services Agency, the Department of Health, the Department of Human Services, the Department of Mental Health, and the Department of Youth Rehabilitation Services may be deposited into the Integrated Services Fund for At-Risk Children, Youth, and Families and used for the purposes set forth in D.C. Official Code 4-1345.03; provided further, that funds deposited into the Integrated Services Fund shall remain available until expended. Funds to be allocated as follows:

(1) Department of Human Services. – \$338,771,000 (including \$179,322,000 from local funds, \$156,558,000 from Federal grant funds, \$2,800,000 from other funds, and \$91,000 from private funds);

(2) Child and Family Services. – \$230,067,000 (including \$198,295,000 from local funds, \$30,998,000 from Federal grant funds, \$750,000 from other funds, and \$23,000 from private funds);

(3) Department of Mental Health. – \$222,555,000 (including \$213,181,000 from local funds, \$5,566,000 from Federal grant funds, and \$3,808,000 from other funds);

(4) Department of Health. - \$253,077,000 (including \$101,606,000 from local funds, \$137,096,000 from Federal grant funds, and \$14,375,000 from other funds; provided, that any funds deposited into the Effi Slaughter Barry Initiative Fund shall remain available until expended; provided further, that any funds deposited into the Health Professional Recruitment Fund, including unspent funds from prior fiscal years, shall remain available until expended;

(5) Department of Parks and Recreation. – \$50,242,000 (including \$46,750,000 from local funds, \$2,492,000 from other funds, and \$1,000,000 from private funds);

(6) Office on Aging. – \$24,186,000 (including \$17,584,000 from local funds and \$6,601,000 from Federal grant funds);

(7) District of Columbia Unemployment Compensation Fund. – \$5,500,000 from local funds;

(8) Disability Compensation Fund. –\$15,030,000 from local funds to remain available until expended;

(9) Office of Human Rights. – \$3,218,000 (including \$2,763,000 from local funds and \$455,000 from Federal grant funds);

(10) Office of Latino Affairs. – \$4,727,000 from local funds;

(11) Children Investment Trust Fund. – \$18,460,000 from local funds;

(12) Office on Asian and Pacific Islander Affairs. – \$1,021,000 from local funds;

(13) Office of Veterans Affairs. – \$462,000 from local funds;

(14) Department of Youth Rehabilitation Service. – \$81,820,000 from local funds; provided, that amounts appropriated herein may be expended to implement the provisions of the

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On-site Meal Expenses Amendment Act of 2008, passed on 1st reading on May 13, 2008
(Engrossed version of Bill 17-678);

(15) Department on Disability Services. – \$122,359,000 (including \$90,475,000 from local funds, \$26,083,000 from Federal grant funds, and \$5,800,000 from other funds); and

(16) Department of Healthcare Finance. – \$1,839,729,000 (including \$621,867,000 from local funds (including \$24,949,000 from dedicated taxes), \$1,215,885,000 from federal grant funds, and \$1,977,000 from other funds); provided, that any funds deposited into the Healthy DC Fund, including unspent funds from prior fiscal years, shall remain available until expended; provided further, that any funds deposited into the Nursing Home Quality of Care Fund, including unspent funds from prior fiscal years, shall remain available until expended.

Public Works

Public works, including rental of one passenger-carrying vehicle for use by the Mayor and 3 passenger-carrying vehicles for use by the Council of the District of Columbia and leasing of passenger-carrying vehicles, \$645,839,000 (including \$451,135,000 from local funds (including \$24,120,000 from dedicated taxes), \$22,932,000 from Federal grant funds, \$300,000 from private funds, and \$171,472,000 from other funds, to be allocated as follows:

(1) Department of Public Works. – \$138,333,000 (including \$124,939,000 from local funds and \$13,395,000 from other funds);

(2) Department of Transportation. – \$142,555,000 (including \$30,094,000 from local funds (including \$24,120,000 from dedicated taxes), \$3,200,000 from Federal grant funds, and \$109,261,000 from other funds);

(3) Department of Motor Vehicles. – \$44,539,000 (including \$31,216,000 from local funds and \$13,324,000 from other funds);

(4) Department of the Environment. – \$79,941,000 (including \$25,039,000 from local funds, \$19,732,000 from Federal grant funds, \$34,869,000 from other funds, and \$300,000 from private funds);

(5) Taxi Cab Commission. – \$1,991,000 (including \$1,368,000 from local funds and \$623,000 from other funds);

(6) Washington Metropolitan Area Transit Commission. – \$113,000 from local funds;

(7) Washington Metropolitan Area Transit Authority. – \$230,499,000 from local funds; and

(8) School Transit Subsidies. – \$7,866,000 from local funds.

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Financing and Other

Financing and Other, \$959,821,000 (including \$925,884,000 from local funds (including \$167,924,000 from dedicated taxes) and \$33,938,000 from other funds), to be allocated as follows:

(1) Repayment of Loans and Interest - for payment of principal, interest, and certain fees directly resulting from borrowing by the District of Columbia to fund District of Columbia capital projects as authorized by sections 462, 475, and 490 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; D.C. Official Code §§ 1-204.62, 1-204.75, and 1-204.90), \$459,727,000 (including \$456,630,000 from local funds (including \$3,580,000 from dedicated taxes) and \$3,097,000 from other funds);

(2) Short-Term Borrowing. - \$9,000,000 from local funds for payment of interest on short-term borrowing;

(3) Certificates of Participation. - for principal and interest payments on the District's Certificates of Participation, issued to finance the ground lease underlying the building located at One Judiciary Square, \$32,791,000 from local funds;

(4) Debt Issuance Costs. - for the payment of debt service issuance costs, \$15,000,000 from local funds;

(5) School Modernization Fund. - for a School Modernization Fund, \$8,613,000 from local funds;

(6) Revenue Bonds. - for the repayment of revenue bonds, \$6,000,000 from local funds (including \$6,000,000 from dedicated taxes);

(7) Settlements and Judgments. - \$21,477,000 from local funds; provided, that this appropriation shall not be construed as modifying or affecting the provisions of section 103 of this Act;

(8) Wilson Building. - for expenses associated with the John A. Wilson building, \$4,058,000 from local funds;

(9) Workforce Investments. - for workforce investments, \$36,691,000 from local funds, to be transferred by the Mayor of the District of Columbia within the various appropriation headings in this Act for which employees are properly payable; provided, that of this amount, \$4,952,000 shall remain available until expended to meet the requirements of the Compensation Agreement Between the District of Columbia Government Units 1 and 2 Emergency Approval Resolution of 2006, effective September 19, 2006 (Res. 16-794; 53 DCR 7742);

(10) Non-Departmental. - to account for anticipated costs that cannot be allocated to specific agencies during the development of the proposed budget, \$39,279,000 (including \$10,438,000 from local funds that shall remain available to cover any lease costs that may remain from the District's lease at 225 Virginia Avenue and \$28,841,000 from other funds to be transferred by the Mayor of the District of Columbia within the various appropriations headings in this Act);

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(11) For Emergency Planning and Security Fund. – \$15,000,000 from funds previously appropriated in this Act under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia"; provided, that notwithstanding any other law, the District of Columbia may charge obligations and expenditures that are pending reimbursement under the heading "Federal Payment for Emergency Planning and Security Costs in the District of Columbia" to this local appropriations heading;

(12) Equipment Lease Operating. – \$51,405,000 from local funds;

(13) Pay-As-You-Go Capital funds. – in lieu of capital financing, \$144,637,000 (including \$142,637,000 from local funds (including \$108,300,000 from dedicated taxes) and \$2,000,000 from other funds to be transferred to the Capital Fund);

(14) District Retiree Health Contribution. – for a District Retiree Health Contribution, \$81,100,000 from local funds;

(15) Baseball Revenue. – \$50,044,000 from local funds (including \$50,044,000 from dedicated taxes) derived from a dedicated tax to account for the inflows and outflows of both operating and capital dollars; in addition, the amounts appropriated herein may be increased by such amounts as may be necessary and as are consistent with the Ballpark Omnibus Financing And Revenue Act of 2004, effective April 08, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), to pay debt service, and to maintain and replenish required reserves for baseball revenue bonds;

(16) Tax Increment Financing. – the amounts appropriated herein may be increased by an amount not to exceed \$9,712,000 from the District's General Fund balance for a Tax Increment Financing program as may be necessary to meet the Tax Increment Financing requirements; and

(17) Emergency and Contingency Funds. – For the emergency reserve fund and the contingency reserve fund under section 450A of the District of Columbia Home Rule Act, approved November 2, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a), the amounts appropriated herein may be increased by such additional amounts from the funds of the District government as are necessary to meet the balance requirements for such funds under section 450A;

ENTERPRISE AND OTHER FUNDS**Water and Sewer Authority**

Pursuant to section 445a of the District of Columbia Home Rule Act, approved August 6, 1996 (110 Stat. 1698; D.C. Official Code § 1-204.45a), which provides that the Council shall have no authority to revise the budget for the District of Columbia Water and Sewer Authority, of which 60% represents rate-payer revenue, the Council forwards this non-appropriated budget request: for operation of the Water and Sewer Authority, \$363,234,000 from other funds, of which \$3,989,000 shall be apportioned for repayment of loans and interest incurred for capital improvement projects and payable to the District's debt service fund; for construction projects,

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\$585,902,000, to be distributed as follows: \$486,141,000 for the Blue Plains Wastewater Treatment Plant, \$88,769,000 for the water program, \$2,249,000 for the Washington Aqueduct capital program, and \$8,743,000 for the capital equipment program; in addition, \$14,000,000 from funds previously appropriated in this Act under the heading "Federal Payment to the District of Columbia Water and Sewer Authority"; provided, that the requirements and restrictions that are applicable to General Fund capital improvement projects and set forth in this Act under the Capital Outlay appropriation account shall apply to projects approved under this appropriation account.

Washington Aqueduct

For operation of the Washington Aqueduct, \$56,491,000 from other funds.

Lottery and Charitable Games Enterprise Fund

For the Lottery and Charitable Games Enterprise Fund, established by the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), for the purpose of implementing the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1301 *et seq.* and § 22-1716 *et seq.*), \$265,000,000 from other funds; provided, that the District of Columbia shall identify the source of funding for this appropriation title from the District's own locally generated revenues; provided further, that no revenues from Federal sources shall be used to support the operations or activities of the Lottery and Charitable Games Control Board; provided further, that, after notification to the Mayor, amounts appropriated herein may be increased by an amount necessary for the Lottery and Charitable Games Enterprise Fund to make transfers to the General Fund of the District of Columbia and to cover prizes, agent commissions, and gaming related fees directly associated with unanticipated excess lottery revenues not included in this appropriation.

Sports and Entertainment Commission

For the Sports and Entertainment Commission, \$7,603,000 from other funds, to remain available until expended, of which \$2,500,000 from local funds to be received as a subsidy payment.

District of Columbia Retirement Board

For the District of Columbia Retirement Board, established pursuant to section 121 of the District of Columbia Retirement Reform Act of 1979, approved November 17, 1979 (93 Stat 866; D.C. Official Code § 1-711), \$32,624,000 from the earnings of the applicable retirement funds to pay legal, management, investment, and other fees and administrative expenses of the District of Columbia Retirement Board; provided, that the District of Columbia Retirement Board shall provide to the Congress and to the Council of the District of Columbia a quarterly

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report of the allocations of charges by fund and of expenditures of all funds; provided further, that the District of Columbia Retirement Board shall provide the Mayor, for transmittal to the Council of the District of Columbia, an itemized accounting of the planned use of appropriated funds in time for each annual budget submission and the actual use of such funds in time for each annual audited financial report.

Washington Convention Center Enterprise Fund

For the Washington Convention Center Enterprise Fund, \$96,696,000 from other funds.

Housing Finance Agency

For the Housing Finance Agency, \$7,919,000 from other funds.

University of the District of Columbia

For the University of the District of Columbia, \$118,268,000 (including, \$62,070,000 from local funds, \$18,487,000 from Federal grant funds, \$36,819,000 from other funds, and \$891,000 from private funds); provided, that this appropriation shall not be available to subsidize the education of nonresidents of the District of Columbia at the University of the District of Columbia, unless the Board of Trustees of the University of the District of Columbia adopts, for the fiscal year ending September 30, 2009, a tuition rate schedule that will establish the tuition rate for nonresident students at a level no lower than the nonresident tuition rate charged at comparable public institutions of higher education in the metropolitan area.

Department of Human Resources Trust Fund

For the District of Columbia Department of Human Resources Trust Fund, \$2,400,000 from other funds.

District of Columbia Public Library Trust Fund

For the District of Columbia Public Library Trust Fund, \$17,000 from other funds.

Unemployment Insurance Trust Fund

For the Unemployment Insurance Trust Fund, \$180,000,000 from other funds.

Housing Production Trust Fund

For the Housing Production Trust Fund, \$108,680,000 in local funds (including \$108,680,000 from dedicated taxes) to remain available until expended for purposes identified by the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2801 *et seq.*).

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Tax Increment Financing

For Tax Increment Financing, \$24,330,000 from other funds.

Baseball Fund

For the Baseball Fund, \$76,755,000 (including \$69,255,000 from local funds (including 65,873,000 from dedicated taxes) and \$7,500,000 from other funds).

Repayment of Payment in Lieu of Taxes Financing

For Repayment of Payment in Lieu of Taxes Financing, \$9,770,000 from other funds.

CAPITAL OUTLAY

For capital construction projects, an increase of \$1,482,977,000, of which \$1,121,734,000 shall be from local funds, \$107,794,000 from the Local Street Maintenance fund, \$60,708,000 from the District of Columbia Highway Trust Fund, \$192,741,000 from Federal grant funds, and a rescission of \$353,447,000 from local funds and a rescission of \$37,500,000 from Local Street Maintenance funds appropriated under this heading in prior fiscal years for a net amount of \$1,092,030,000, to remain available until expended; in addition, \$7,000,000 to remain available until expended from funds previously appropriated in this Act under the heading "Federal Payment for Central Library and Branch Location" and \$5,000,000 to remain available until September 30, 2010 from funds previously appropriated in this Act under the heading "Federal Payment for Consolidated Laboratory Facility"; provided, that funds for use of each capital project implementing agency shall be managed and controlled in accordance with all procedures and limitations established under the Financial Management System; provided further, that all funds provided by this appropriation title shall be available only for the specific projects and purposes intended; provided further, that amounts appropriated under this heading may be increased by the amount transferred from funds appropriated in this Act as Pay-As-You-Go Capital funds.

TITLE IV--GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

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SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 104. (a) None of the Federal funds provided in this Act shall be used for publicity or propaganda purposes or implementation of any policy, including boycott, designed to support or defeat legislation pending before Congress or any State legislature.

(b) The District of Columbia may use local funds provided in this title to carry out lobbying activities on any matter.

SEC. 105. (a) None of the funds provided under this Act to the agencies funded by this Act, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2008, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditures for an agency through a reprogramming of funds which:

- (1) Creates new programs;
- (2) Eliminates a program, project, activity, or responsibility center;
- (3) Establishes or changes allocations specifically denied, limited, or increased

under this Act;

(4) Increases funds or personnel by any means for any program, project, activity, or responsibility center for which funds have been denied or restricted;

(5) Reestablishes any program or project previously deferred through reprogramming;

(6) Augments any existing program, project, activity, or responsibility center through a reprogramming of funds in excess of \$3,000,000 or 10 %, whichever is less; or

(7) Increases by 20 % or more personnel assigned to a specific program, project, activity, or responsibility center, unless, in the case of Federal funds, the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming and, in the case of local funds, the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2009, and October 1, 2009, setting forth detailed information regarding each such local funds reprogramming conducted subject to this subsection.

(b) None of the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of \$3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are provided summary reports on April 1, 2009, and October 1, 2009, setting forth detailed information regarding each reprogramming conducted subject to this subsection, except that in no event may the amount of any funds transferred exceed 4 % of the local funds in the appropriations; provided, that this subsection shall not apply to any

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reprogramming submitted to the Council within 30 calendar days of the date of the enactment of this Act.

(c) The District of Columbia government is authorized to approve and execute reprogramming and transfer requests of local funds under this title through November 1, 2009; provided, that any reprogramming submitted pursuant to this subsection in excess of \$1 million shall be submitted to the Council prior to the close of business on September 30, 2009.

SEC. 106. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made, except as otherwise provided by law.

SEC. 107. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated or expended pursuant to subsection (a) of this section until:

(A) The Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) The Council has reviewed and approved the obligation and expenditure of such grant.

(2) For purposes of paragraph (1)(B) of this subsection, the Council shall be deemed to have reviewed and approved the obligation and expenditure of a grant if:

(A) No written notice of disapproval is filed with the Secretary to the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A) of this subsection; or

(B) If such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A) of this subsection.

(c) No amount may be obligated or expended from the General Fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) of this section or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to the subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title or approved and received under subsection (b)(2) of this section to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly

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report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

SEC. 108. Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For the purposes of this section, the term "official duties" does not include travel between the officer's or employee's residence and workplace, except in the case of:

(1) An officer or employee of the Metropolitan Police Department who resides in the District of Columbia or a District of Columbia government employee, or is otherwise designated by the Chief of Police;

(2) At the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day, or is otherwise designated by the Fire Chief;

(3) At the discretion of the Director of the Department of Corrections, an officer or employee of the District of Columbia Department of Corrections who resides in the District of Columbia and is on call 24 hours a day, or is otherwise designated by the Director;

(4) The Mayor of the District of Columbia; and

(5) The Chairman of the Council of the District of Columbia.

SEC. 109. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a "conscience clause," which provides exceptions for religious beliefs and moral convictions.

SEC. 110. (a) Notwithstanding 20 U.S.C. § 1415, 21 U.S.C. § 1988, and 29 U.S.C. § 794a, or any other law, none of the funds appropriated under this Act, or in appropriations Acts for subsequent fiscal years, may be made available to pay attorneys' fees accrued prior to the effective date of this Act that exceed a cap imposed on attorneys' fees by prior appropriations Acts that were in effect during the fiscal year when the work was performed, or when payment was requested for work previously performed, or interest on those awards, in an action or proceeding brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. § 1400 *et seq.*).

(b) In addition, none of the funds contained in this Act may be made available to pay fees associated with such an action or proceeding to an attorney or firm who the Chief Financial

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Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

SEC. 111. Beginning in fiscal year 2009 and each fiscal year thereafter, the amount appropriated to the District of Columbia may be increased by no more than \$100,000,000 from funds identified in the annual comprehensive annual financial report as the District's immediately preceding fiscal year's unexpended General Fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, or economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

- (A) One-time expenditures;
- (B) Expenditures to avoid deficit spending;
- (C) Debt Reduction;
- (D) Program needs; or
- (E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court-ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 15 days in advance of the obligation or expenditure.

SEC. 112. (a) Beginning in fiscal year 2009 and each fiscal year thereafter, consistent with revenue collections, the amount appropriated as District of Columbia Funds may be increased:

(1) By an aggregate amount of not more than 25 %, in the case of amounts proposed to be allocated as "Other-Type Funds" in the annual Proposed Budget and Financial Plan submitted to Congress by the District of Columbia; and

(2) By an aggregate amount of not more than 6 %, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify:

- (A) The increase in revenue; and

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(B) That the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 15 days in advance of the obligation or expenditure.

SEC. 113. Beginning in fiscal year 2009 and each fiscal year thereafter, the Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act, approved November 22, 2000 (114 Stat. 2440; D.C. Official Code § 1-204.50a); provided, that the amount borrowed shall not exceed 50 % of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing; provided further, that the borrowing shall not deplete either fund by more than 50 %; provided further, that 100 % of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier; provided further, that in the event that short-term borrowing has been conducted and the emergency or the contingency reserve funds are later depleted below 50 % as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 % of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 114. Notwithstanding 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)), the Income Tax Secured Bond Authorization Act of 2008, as introduced on May 6, 2008 (D.C. Bill 17-741), shall take effect on the date of its enactment by the District of Columbia.

SEC. 115. Amounts appropriated in this Act as operating funds may be transferred to the District of Columbia's enterprise and capital funds and such amounts, once transferred, shall retain appropriation authority consistent with the provisions of this Act.

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SEC. 116. Except as expressly provided otherwise, any reference to "this Act" contained in this division shall be treated as referring only to the provisions of this division.

This division may be cited as the "District of Columbia Appropriations Act, 2009".

DIVISION -- B
DISTRICT OF COLUMBIA AUTHORIZATION REQUEST

SEC. 201. The following proviso under the heading "Lottery and Charitable Games Enterprise Fund" in the District of Columbia Appropriations Act, 1982, approved December 4, 1981 (Pub. L. No. 97-91; 95 Stat. 1174), is repealed:

"provided further, That the advertising, sale, operation, or playing of the lotteries, raffles, bingos, or other games authorized by D.C. Law 3-172 is prohibited on the Federal enclave, and in adjacent public buildings and land controlled by the Shipstead-Luce Act as amended by 53 Stat. 1144, as well as in the Old Georgetown Historic District:"

SEC. 202. Section 11201 of the National Capital Revitalization and Self-Government Improvement Act of 1997, approved August 5, 1997 (111 Stat. 734; D.C. Official Code § 24-101), is amended by adding a new subsection (a-1) to read as follows:

"(a-1) *Reimbursement to District of Columbia Department of Corrections.*— The United States Government shall reimburse the District of Columbia Department of Corrections its costs of providing custody and care for:

"(1) Felons committed by the Superior Court of the District of Columbia from the date of sentencing until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons;

"(2) Previously sentenced felons committed to the Department of Corrections as violators of parole, supervised release, or probation from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons; and

"(3) Previously sentenced felons held by or committed to the Department of Corrections on writs from the date of commitment until transfer to a penal or correctional facility operated or contracted for by the Bureau of Prisons."

SEC. 203. Notwithstanding any other law, all entities within the District of Columbia shall be subject to the general sales tax of the District of Columbia for sales to the public in gift shops, restaurants, and similar facilities.

SEC. 204. The 2005 District of Columbia Omnibus Authorization Act, approved October 16, 2006 (Pub. L. No. 109-356; 120 Stat. 2019), is amended as follows:

(a) Section 101(c) is amended to read as follows:

"(c) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding

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fiscal year.”.

(b) Section 102(a)(4) is amended to read as follows:

“(4) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding fiscal year.”.

(c) Section 202(a) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “Sec. 424. (a) IN GENERAL.” and inserting the phrase “Sec. 425. (a) IN GENERAL.” in its place.

(2) Paragraph (2) is amended by striking the phrase “Sec. 424a. Authority” and inserting the phrase “Sec. 425. Authority” in its place.

(d) Section 203(a) is amended as follows:

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

(A) Strike the phrase “Sec. 424b. The Chief” and insert the phrase “Sec. 426. The Chief” in its place.

(B) Strike the date “1986” and insert the date “1985” in its place.

(2) Paragraph (2) is amended by striking the phrase “Sec. 424b. Procurement” and inserting the phrase “Sec. 426. Procurement” in its place.

(e) Section 305(f) is amended to read as follows:

“(f) EFFECTIVE DATE – This section shall apply fiscal year 2006 and each succeeding fiscal year.”.

SEC. 205. The federal government shall compensate the District for use and occupancy of public space closed for the security of federal buildings within the District of Columbia and such compensation shall be deemed to be included in and available from the annual appropriations for each agency of the federal government.

Sec. 206. Section 209 of the District of Columbia Financial Responsibility and Management Assistance Act of 1995, approved April 17, 1995 (109 Stat. 136; D.C. Official Code § 47-392.09), is repealed.

Sec. 207. Section 424a of the District of Columbia Home Rule Act, approved October 16, 2006 (120 Stat. 2037; D.C. Official Code § 1-204.25), is amended by adding a new subsection (e) to read as follows::

“(e) Delegation of Oversight Responsibility for Independent Agencies. --

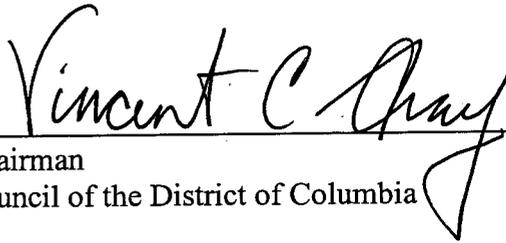
“(1) The Chief Financial Officer may delegate his or her oversight responsibilities under subsection (b)(3) of this section for any independent agency to the director of the respective agency or its governing board through a memorandum of understanding approved by the Council.

“(2) Any proposed memorandum of understanding shall be submitted, along with a proposed resolution, by the Mayor to the Council for a 30-day period of review, excluding days

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of Council recess. If the Council does not approve or disapprove the proposed resolution within the 30-day period of review, the proposed resolution and the memorandum of understanding shall be deemed approved.”.

This division may be cited as the “District of Columbia Omnibus Authorization Act, 2009”.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 18, 2008

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AN ACT

D.C. ACT 17-410

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 18, 2008

*Codification
District of
Columbia
Official Code*

2001 Edition

2008 Fall
Supp.

West Group
Publisher

To require, on a temporary basis, the Mayor to establish a program to install and maintain automated external defibrillators in Department of Parks and Recreation facilities, to mandate training in conjunction with existing health training for personnel to operate the defibrillators to ensure the health, safety, and welfare of our citizens, and to provide a model for future automated external defibrillator expansion throughout all public buildings.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "AED Installation for Safe Recreation and Exercise Temporary Act of 2008".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Automated external defibrillator" or "AED" or "defibrillator" means a medical device heart monitor and defibrillator that:

(A) Has received approval from the United States Food and Drug Administration of its premarket notification filed pursuant to section 501(k) of the Federal Food, Drug, and Comestic Act, approved October 10, 1962 (76 Stat. 794; 21 U.S.C. § 360(k));

(B) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and determining, without intervention by an operator, whether defibrillation should be performed; and

(C) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

(2) "Certificate" means a certificate issued by the Mayor to an authorized recreational facility.

(3) "Recreation facility" means staffed Department of Parks and Recreation facilities.

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Sec. 3. AED program.

(a) The Mayor shall develop and implement an AED program for each recreation facility within 45 days of the effective date of this act.

(b) The program required under subsection (a) of this section shall include provisions that:

(1) Ensure that an AED is provided on-site; and

(2) An individual trained in the operation and use of an AED is present during hours of operation.

(c) The Mayor shall establish guidelines for periodic inspections and annual maintenance of the automated external defibrillators to ensure each AED is maintained, operated, and tested according to manufacturers' guidelines, including:

(1) Written records of the maintenance and testing of each AED are maintained, as required; and

(2) Proof that each individual who operates an AED for the authorized recreational facility has successfully completed an educational training course in conjunction with health training already received by Department of Parks and Recreation employees and refresher training, as required.

(d) The Mayor shall issue and renew certificates to recreation facilities that meet the requirements of this section.

(e) The Mayor shall approve educational and training programs required under this section that:

(1) Are conducted by any private or public entity;

(2) Include training in cardiopulmonary resuscitation; and

(3) May include courses from nationally recognized entities, such as the American Heart Association, the American Red Cross, and the National Safety Council.

(f) The Mayor shall make best efforts to use uniform equipment pursuant to this act.

Sec. 4. Immunities.

(a) In addition to any other immunities available under statutory or common law, an authorized recreation facility is not civilly liable for any act or omission in the provision of automated external defibrillation if the authorized facility:

(1) Satisfied the requirements for making automated external defibrillation available under section 3; and

(2) Possesses a valid certificate at the time of the act or omission.

(b) The AED program established under this act shall include tort immunity pursuant to section 4 of the Public Access to Automated External Defibrillator Act of 2001, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-233).

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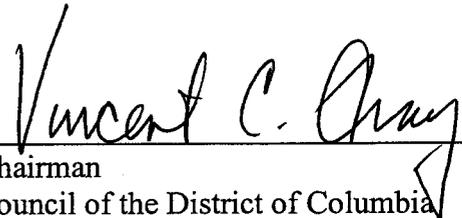
Sec. 5. Fiscal impact statement.

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. 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.

(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
June 18, 2008

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-411

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 20, 2008

To approve, on a temporary 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 Temporary 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

ENROLLED ORIGINAL

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. Law 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. 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, but shall be continually available without regard to fiscal year limitation, 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

(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 \$13,760,000 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, but shall be continually available without regard to fiscal year limitation, subject to authorization by

ENROLLED ORIGINAL

Congress. No funds shall be transferred from the fund until October 1, 2008, at which time the funds may be used without restriction; and

(B) An amount of \$22,740,000 in local funds shall 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, but shall be continually available without regard to fiscal year limitation, 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 Release of Funds Emergency Amendment Act of 2008, effective May 1, 2008 (D.C. Act 17-362; 55 DCR 5396), is repealed.

(c) The Supplemental Appropriations Release of Funds Temporary Amendment Act of 2008, signed by the Mayor on May 20, 2008 (D.C. Act 17-387; 55 DCR __), 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.

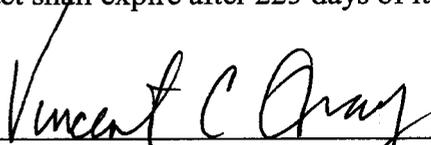
Sec. 5. Effective date.

(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

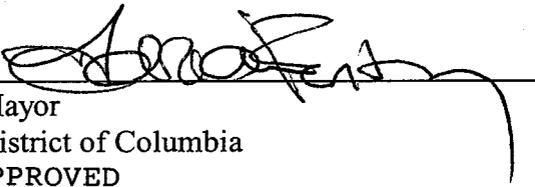
ENROLLED ORIGINAL

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
June 18, 2008

ENROLLED ORIGINAL

AN ACT
D.C. ACT 17-412

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
JUNE 18, 2008

Codification
District of
Columbia
Official Code

2001 Edition

2008 Fall
Supp.

West Group
Publisher

To amend, on an emergency basis, the Washington Convention Center Authority Act of 1994 to reinsert lease provisions for the new convention center hotel and to authorize an underground airspace lease in addition to vault permits; and to amend section 47-4609(b) of the District of Columbia Official Code to insert a phrase related to a tax exemption.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "New Convention Center Hotel Technical Amendments Emergency Amendment Act of 2008".

Sec. 2. The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended as follows:

(a) Section 702 (D.C. Official Code § 10-1202.22) is amended by adding a new paragraph (6) to read as follows:

Note,
§ 10-1202.22

"(6) The lease may be subordinated to a leasehold mortgage securing development financing for the developer and may permit the issuance of a new lease upon foreclosure on the same terms and conditions as the prior lease."

(b) Section 703 (D.C. Official Code § 10-1202.23) is amended by adding new paragraphs (5) and (6) to read as follows:

Note,
§ 10-1202.23

"(5) Lease payments shall be payable from cash available after payment of the developer's debt service on a loan for the New Convention Center Hotel.

"(6) The lease may be subordinated to a leasehold mortgage securing development financing for the developer and may permit the issuance of a new lease upon foreclosure on the same terms and conditions as the prior lease."

(c) Section 704 (D.C. Official Code § 10-1202.24) is amended as follows:

Note,
§ 10-1202.24

(1) The section heading is amended by striking the period and inserting the phrase "or airspace lease." in its place.

(2) The text is amended as follows:

(A) Strike the word "permit" and insert the phrase "permit or lease" in its place.

ENROLLED ORIGINAL

(B) Strike the phrase "vault space" and insert the phrase "vault space or airspace" in its place.

(C) Strike the word "coterminous" and insert the phrase "and the District of Columbia Public Space Utilization Act, approved October 17, 1968 (82 Stat. 1166; D.C. Official Code § 10-1121.01 *et seq.*), coterminous" in its place.

Sec. 3. Section 47-4609(b) of the District of Columbia Official Code is amended by striking the period at the end and inserting the phrase "shall be exempt from the taxes imposed by §§ 42-1103 and 47-903." in its place.

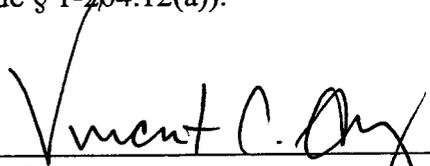
Note,
§ 47-4609

Sec. 4. Fiscal impact statement.

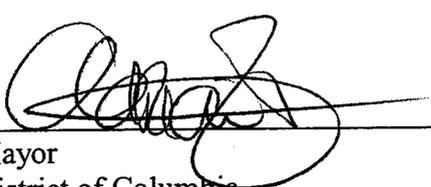
The Council adopts the fiscal impact statement of the Chief Financial Officer, dated May 30, 2008, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

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)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
June 18, 2008