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AN ACT

D.C. ACT 17-419

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUNE 26, 2008*Codification  
District of  
Columbia  
Official  
Code*2001  
Edition2008 Fall  
Supp.West Group  
Publisher

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

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

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

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

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

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

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

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

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

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

TITLE I. GOVERNMENT DIRECTION AND SUPPORT  
SUBTITLE A. LATE FEE AVOIDANCE.

Sec. 1001. Short title.

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

Sec. 1002. Responsibility for late fees.

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

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

Sec. 1003. Applicability.

This subtitle shall apply as of October 1, 2008.

SUBTITLE B. DISTRICT OF COLUMBIA EMPLOYEE PARKING  
PROGRAM FUND.

Sec. 1004. Short title.

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

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

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

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Program Fund.

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

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

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

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

Sec. 1006. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

## SUBTITLE D. YOUTH JOBS FUND.

Sec. 1008. Short title.

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

Sec. 1009. Youth Jobs Fund.

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

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

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

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

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

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

## SUBTITLE E. FORM B REQUIREMENT.

Sec. 1010. Short title.

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

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

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

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

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

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

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

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

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

## SUBTITLE F. EMPLOYEE COMPENSATION FUND.

Sec. 1012. Short title.

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

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

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

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

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

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

## SUBTITLE G. WILSON BUILDING CENTENNIAL FUND.

Sec. 1014. Short title.

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

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

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

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

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

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

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

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which occurred on or about July 4, 1908;

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

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

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

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

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

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

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

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

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

#### SUBTITLE H. FEDERAL GRANTS SPENDING PLANS SUBMISSION.

##### Sec. 1016. Short title.

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

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

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

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

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expended to receive the FMG;

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

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

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

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

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

#### SUBTITLE I. FIRST SOURCE COMPLIANCE.

Sec. 1018. Short title.

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

Sec. 1019. Definitions.

For the purposes of this subtitle, the term:

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

(2) "Office" means the Office of First Source Compliance.

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

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

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

Sec. 1021. Functions and duties.

(a) The Office shall:

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

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

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

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

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

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

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

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

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

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

Sec. 1022. Executive Director.

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

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## Sec. 1023. Appropriations.

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

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

## Sec. 2001. Short title.

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

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

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

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

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

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

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

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

## Sec. 2003. Conforming amendments.

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

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

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

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

SUBTITLE B. CONTINUATION OF ECONOMIC DEVELOPMENT  
GRANT AUTHORITY.

Sec. 2004. Short title.

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

Sec. 2005. Grant-making authority.

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

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

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

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

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

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*et seq.*).".

## SUBTITLE C. BUSINESS LICENSING PROCESSING ADJUSTMENT.

Sec. 2006. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Sec. 2008. Short title.

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

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

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

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

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

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

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

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

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(4) To provide financial assistance to developers to acquire real property for the provision of affordable housing;

(5) To provide funding for the design, installation, and renovation of site improvements to be located on property to be developed or rehabilitated as affordable housing;

(6) To provide funding for private for-profit and not-for-profit developers to facilitate the development of affordable housing;

(7) To provide funding for property maintenance facilities at affordable housing developments;

(8) To provide funding for the Department of Housing and Community Development ("DHCD") to reclaim properties that have received notice of foreclosure in cases where DHCD has subordinated liens;

(9) To provide affordable financing to low-income and moderate-income residents to correct basic housing defects and ensure long-term livability;

(10) To develop programs to encourage property owners to rehabilitate and occupy their abandoned or deteriorated residential properties;

(11) To facilitate DHCD's acquisition, disposition, and rehabilitation of vacant and deteriorated properties when property owners fail to maintain the properties;

(12) To facilitate the development of affordable housing generally; and

(13) To provide funding for other affordable housing purposes, as determined by the Director of DHCD in furtherance of DHCD's mission.

(d) Not more than 20% of the funds deposited into the Unified Fund may be used to pay project-delivery costs.

(e) The following funds shall be deposited into the Unified Fund, beginning on October 1, 2008:

(1) All revenue derived from lease payments from loans and other proceeds received under the Land Acquisitions for Housing Development Opportunities Program, established under the authority of the District of Columbia Community Development Act of 1975, effective December 16, 1975 (D.C. Law 1-39; D.C. Official Code § 6-1001 *et seq.*);

(2) All revenue derived from repayments and other proceeds from the following programs, funding sources, and accounts maintained by DHCD:

(A) Rehabilitation Repayment account;

(B) Low Income Housing Tax Credit Fee Collection;

(C) Home Again Revolving Fund;

(D) Portal Sites; and

(E) Any other DHCD programs created by regulation, as determined by the Director; and

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

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

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

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

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

#### SUBTITLE E. DISPOSITION OF ABANDONED AND DETERIORATED PROPERTY.

Sec. 2011. Short title.

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

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

#### SUBTITLE F. CAPTIVE INSURANCE COMPANY.

Sec. 2013. Short title.

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

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

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

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

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

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

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

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

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

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

(c) Subsection (l) is repealed.

Sec. 2015. Applicability.

This subtitle shall apply as of January 1, 2008.

#### SUBTITLE G. RECORDER OF DEEDS RECORDATION SURCHARGE.

Sec. 2016. Short title.

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

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

Sec. 2018. Applicability.

This subtitle shall apply as of April 11, 2007.

#### SUBTITLE H. NUISANCE PROPERTIES ABATEMENT.

Sec. 2019. Short title.

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

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

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

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

## SUBTITLE I. SMALL BUSINESS MICRO LOAN FUND.

Sec. 2021. Short title.

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

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

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

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

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

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

## SUBTITLE J. CONSUMER PROTECTION ENHANCEMENT.

Sec. 2023. Short title.

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

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

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SUBTITLE K. COMPETITIVE ENERGY SUPPLIER CONSUMER  
AWARENESS.

Sec. 2025. Short title.

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

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

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

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

## TITLE III. PUBLIC SAFETY AND JUSTICE

## SUBTITLE A. EMERGENCY COMMUNICATIONS FUND.

Sec. 3001. Short title.

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

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

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

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

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

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

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

“(A) For wireline local exchange service:

Columbia;

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

and

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

District of Columbia;

“(iii) \$0.62 per private branch exchange station in the

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

“(C) For interconnected VoIP service, as defined by 47 C.F.R.

§ 9.3,

\$0.76 for each line, trunk, or path that can access to, connect with, or interface with 911 service based on primary place of use.”.

#### SUBTITLE B. AMBULANCE FEES.

Sec. 3003. Short title.

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

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

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

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

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

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

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

## SUBTITLE C. SURVEILLANCE CAMERAS.

Sec. 3007. Short title.

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

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

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

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

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

## SUBTITLE D. OFFICE OF ADMINISTRATIVE HEARINGS SPACE ANALYSIS.

Sec. 3009. Short title.

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

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

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

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

SUBTITLE E. OFFICE OF ADMINISTRATIVE HEARINGS PAY INCREASE.

Sec. 3011. Short title.

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

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

SUBTITLE F. COMMUNITY-BASED VIOLENCE REDUCTION FUND.

Sec. 3013. Short title.

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

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

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

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

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

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

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

Sec. 3015. Short title.

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

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

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

Sec. 3017. Short title.

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

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

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

TITLE IV. PUBLIC EDUCATION SYSTEM

SUBTITLE A. SUPPLEMENTAL EDUCATIONAL PAYMENTS.

Sec. 4001. Short title.

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

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

## SUBTITLE B. EDUCATIONAL SERVICE.

Sec. 4003. Short title.

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

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

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

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

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

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

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

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

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

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

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## SUBTITLE C. CHILDCARE FUNDING SUPPORT.

Sec. 4005. Short title.

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

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

"(d) The term "Department" means the Executive Office of the Mayor or the Mayor's designee."

## SUBTITLE D. CREDENTIAL CERTIFICATION AUTHORITY.

Sec. 4007. Short title.

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

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

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

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

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

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

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

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

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

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

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

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

SUBTITLE E. EDUCATIONAL LICENSURE COMMISSION  
AUTHORITY.

Sec. 4009. Short title.

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

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

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

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

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

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

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

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

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

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

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

## SUBTITLE F. RESIDENCY VERIFICATION.

Sec. 4011. Short title.

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

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

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

“Sec. 9. Proof of residency.

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

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

## SUBTITLE G. TRUANCY CENTERS.

Sec. 4013. Short title.

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

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

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

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

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

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

SUBTITLE H. UNIFORM PER STUDENT FUNDING FORMULA.

Sec. 4015. Short title.

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

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

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

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

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

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

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

“Special Needs Add-ons:

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

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

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

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LEP/NEP - Residential      Additional funding to support the after-hours Limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting      0.68      \$5,964

Special Education Add-ons for Students with Extended School Year Indicated in Their Individualized Education Programs (IEPs):

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

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

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

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

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

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

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

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

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

SUBTITLE I. OFFICE OF PUBLIC EDUCATION FACILITIES  
MODERNIZATION PERSONNEL.

Sec. 4017. Short title.

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

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

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

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

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

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

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

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

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

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

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

#### SUBTITLE J. SCHOOL MODERNIZATION FINANCING.

Sec. 4020. Short title.

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

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

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

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

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

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

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

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

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

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

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

“(B) School Stabilization; including General Improvements,

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A/C

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

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

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

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

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

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

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

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

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

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

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

#### SUBTITLE K. PUBLIC CHARTER SCHOOL BOARD.

Sec. 4022. Short title.

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

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

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

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

Sec. 5001. Short title.

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

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

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

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

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

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

"(1) Community outreach and education;

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

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

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

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

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

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

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

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

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

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

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

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

## SUBTITLE B. HOUSING FIRST AND HOMELESS SERVICES REFORM.

Sec. 5003. Short title.

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

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

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

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

“Sec. 7a. Housing First Fund.

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

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

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

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

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

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

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

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

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

#### SUBTITLE C. ON-SITE MEAL EXPENSES.

Sec. 5005. Short title.

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

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

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

#### SUBTITLE D. CHILD SUPPORT EXPEDITED PROCESSES.

Sec. 5007. Short title.

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

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

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## SUBTITLE E. SUPPORT FOR AT-RISK YOUTH.

Sec. 5009. Short title.

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

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

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

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

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

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

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

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

## SUBTITLE F. CLOSING MENTAL HEALTH SERVICES GAPS.

Sec. 5011. Short title.

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

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

## SUBTITLE G. DEPARTMENT OF MENTAL HEALTH FUNDING ALLOCATION ACT.

Sec. 5013. Short title.

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

Sec. 5014. Statement of anticipated funding.

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

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

## SUBTITLE H. FIXED COSTS ALLOCATIONS.

Sec. 5015. Short title.

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

Sec. 5016. Fixed costs allocations.

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

## SUBTITLE I. REPORTING REQUIREMENTS.

Sec. 5017. Short title.

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

Sec. 5018. Health Professional Recruitment Program report.

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

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

Sec. 5019. Uncompensated care report.

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

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

Sec. 5020. Medicaid revenue maximization report.

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

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

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

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

Sec. 5022. Community Services Agency governance report.

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

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

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

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

## SUBTITLE J. HEALTH BENEFITS BILL OF RIGHTS.

Sec. 5024. Short title.

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

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

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

## SUBTITLE K. NURSING FACILITY QUALITY OF CARE FUND.

Sec. 5026. Short title.

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

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

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

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

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

## SUBTITLE L. EFFI SLAUGHTER BARRY INITIATIVE FUND.

Sec. 5028. Short title.

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

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

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

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

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

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

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

## SUBTITLE M. DRUG TREATMENT CHOICE.

Sec. 5030. Short title.

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

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

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

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

## SUBTITLE N. HEALTH PROFESSIONAL RECRUITMENT PROGRAM.

Sec. 5032. Short title.

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

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

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

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

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

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

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

“(9) “Service obligation site” means:

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

“(B) A Department of Health program;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

“Sec.16a . Health Professional Recruitment Fund.

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

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

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

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

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

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

SUBTITLE O. HEALTH CARE PRIVATIZATION AMENDMENT ACT.

Sec. 5034. Short title.

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

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

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

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

SUBTITLE P. SCHOOL-BASED MENTAL-HEALTH PROGRAMS.

Sec. 5036. Short title.

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

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

SUBTITLE Q. ASSISTANCE FORM STANDARDIZATION.

Sec. 5038. Short title.

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

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

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

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

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

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