

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-42

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 24, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend, on an emergency basis, Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned or ground leased by KIPP DC, a nonprofit corporation, or by KIPP DC – Douglass QALICB, Inc., a subsidiary of KIPP DC.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “KIPP DC – Douglass Property Tax Exemption Emergency Act of 2009”.

Sec. 2. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-1081. KIPP DC – Douglass Property; Lot 950, Square 5872.”.

(b) A new section 47-1081 is added to read as follows:

“§ 47-1081. KIPP DC – Douglass Property; Lot 950, Square 5872.

“(a) The real property located at 2600-2620 Douglas Road, S.E., and described as Lot 950, Square 5872, shall be exempt from real property and possessory interest taxation so long as the real property continues to be owned or ground leased by KIPP DC or KIPP DC – Douglass QALICB, Inc.

“(b) Any transfer, assignment, or other disposition of all or any portion of the real property, including an assignment of a leasehold interest in the real property or a sublease of the real property, between KIPP DC and KIPP DC – Douglass QALICB, Inc., shall be exempt from recordation taxation pursuant to Chapter 11 of Title 42 and transfer taxation pursuant to Chapter 9 of this title.”.

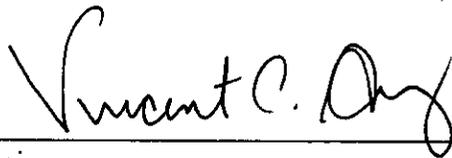
ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

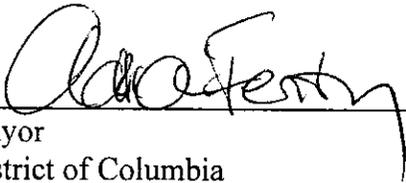
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVE
April 24, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-43

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

To approve, on an emergency basis, Modification No. 11 to Contract No. POKV-2006-C-0064 to provide ticket-processing services to the District and to authorize payment for the services received, and to be received, under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modification No. 11 to Contract No. POKV-2006-C-0064 Approval and Payment Authorization Emergency Act of 2009".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Modification No. 11 to Contract No. POKV-2006-C-0064 with ACS State and Local Solutions, Inc., to provide ticket processing services and authorizes payment in the amount of \$2,286,984 for services received under the contract from January 3, 2007 to January 2, 2009, and in the amount of \$1,144,000 for services received, and to be received, in option year one of the contract.

Sec. 3. Fiscal impact statement.

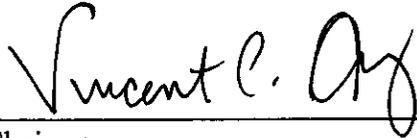
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

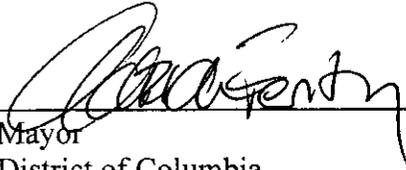
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-44IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
APRIL 27, 2009

To approve, on an emergency basis, Contract No. GAGA-2007-C-0166 with Tandem Conglomerate LLC for implementation and support services for the Student Tracking and Reporting System, and to authorize payment for the services received and to be received under this contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. GAGA-2007-C-0166 Approval and Payment Authorization Emergency Act of 2009".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. GAGA-2007-C-0166 to provide implementation and support services for the Student Tracking and Reporting System and authorizes payment in the amount of \$2,309,360 for services received and to be received under that contract.

Sec. 3. Fiscal impact statement.

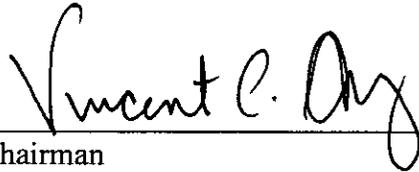
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

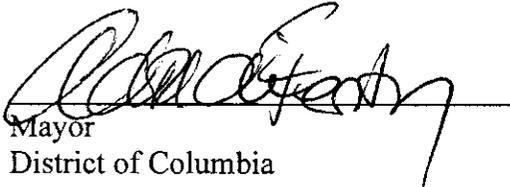
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-45

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

To approve, on an emergency basis, Modification Nos. 7 and 10 and proposed Modification No. 11 to Contract No. POFA-2005-D-0003 to provide security and related services to the District of Columbia Public Schools, and to authorize payment to Hawk One Security, Inc., for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. POFA-2005-D-0003 Modifications Approval and Payment Authorization Emergency Act of 2009".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Modification Nos. 7 and 10 and proposed Modification No.11 to Contract No. POFA-2005-D-0003 with Hawk One Security, Inc., to provide security and related services and authorizes payment in the amount of \$2,032,471.41 for services received and to be received in option year 2 of the contract.

Sec. 3. Fiscal impact statement.

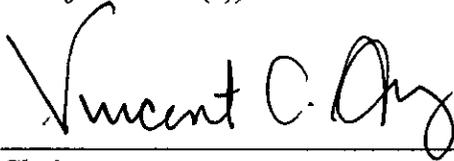
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

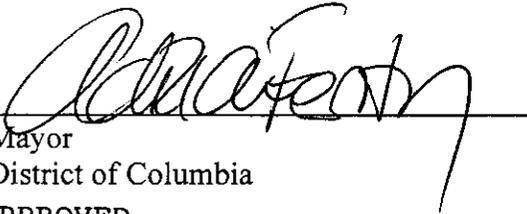
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-46

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
APRIL 27, 2009

To approve, on an emergency basis, Contract No. CFSA-09-C-0137 and Proposed Contract No. CFSA-09-C-0138 to provide Main Facility Independent Living Program services to the Child and Family Services Agency, and to authorize payment to Jones and Associates, Inc., for the services received and to be received under the contracts.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CFSA-09-C-0137 and Proposed Contract No. CFSA-09-C-0138 Approval and Payment Authorization Emergency Act of 2009".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 105a of the District of Columbia Procurement Practices Act of 1985, effective March 8, 1991 (D.C. Law 8-257; D.C. Official Code § 2-301.05a), the Council approves Contract No. CFSA-09-C-0137 and Proposed Contract No. CFSA-09-C-0138 to provide Main Facility Independent Living Program services to the Child and Family Services Agency and authorizes payment to Jones and Associates, Inc., in the amount not to exceed \$1,707,297.41 for services received and to be received under the contracts.

Sec. 3. Fiscal impact statement.

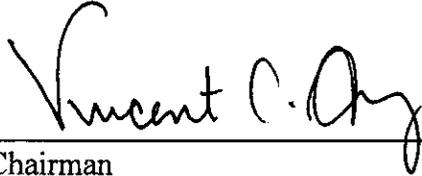
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

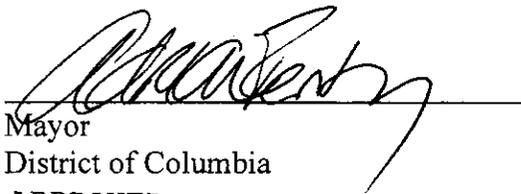
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-47

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

*Codification
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 Official Code*

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To authorize, on an emergency basis, due to Congressional review, the Mayor to regulate vending in the District of Columbia, to require vendors to vend only from designated locations, to authorize development areas within which alternative forms of regulation of vending may be tested, to authorize the Mayor to charge fees for licenses and other authorizations to vend from public space, to authorize the imposition of civil fines for the violation of this act or rules promulgated pursuant to this act, and to authorize the regulation of public markets; and to amend An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, the Fiscal Year 1997 Budget Support Act of 1996, Title 47 of the District of Columbia Official Code, and An Act Relating to the adulteration of feed and drugs in the District of Columbia, to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Vending Regulation Congressional Review Emergency Amendment Act of 2009".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Vending location" means the specific locations on sidewalks, roadways, and other public space from which a person may vend.
- (2) "Vending site permit" means a permit or other authorization to vend from a vending location.

Sec. 3. Vending from public space.

(a) Except as set forth in subsection (b) of this section, a person shall not vend from a sidewalk, roadway, or other public space in the District of Columbia unless the person holds:

- (1) A basic business license properly endorsed for sidewalk or roadway vending;
- (2) A vending site permit; and
- (3) Such other licenses, permits, and authorizations as the Mayor may require

ENROLLED ORIGINAL

by rule.

(b) The Mayor may authorize the following persons to vend from public space without a basic business license or vending site permit:

- (1) An employee or youth assistant of a licensed vendor;
- (2) A person vending at a licensed special event; and
- (3) A person vending from a public market holding a valid permit issued by the

Mayor.

Sec. 4. Vending locations and assignment.

(a) The Mayor shall designate vending locations; provided, that no vending locations shall be established in Ward 2 of the District of Columbia other than those previously authorized under the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), who are vending in a location that is in compliance with Chapter 5 of Title 24 of the District of Columbia Municipal Regulations, except as may be established through a vending development zone authorized under section 5; provided further, that no more than 350 vending locations shall be permitted in any single ward of the District of Columbia.

(b) A person shall not vend from a location other than a vending location unless the person is vending at a special event or public market holding a valid license or permit issued by the Mayor.

(c) A person shall not vend from a vending location without first obtaining a vending site permit from the Mayor.

(d)(1) Except as provided in paragraph (2) of this subsection, vending locations shall be assigned by lottery, unless:

(A) The Mayor establishes an alternate means of assignment by rule; or
(B) The vending location is located in a vending development zone, in which case the vending location may be assigned by lottery or such other means as may be established for the vending development zone pursuant to section 5.

(2) Vendors who received vending site permits for a vending location pursuant to the District of Columbia Department of Transportation and Department of Consumer and Regulatory Affairs Vending Consolidation of Public Space and Licensing Authorities Temporary Act of 2006, effective March 8, 2007 (D.C. Law 16-252; 54 DCR 631), who are vending in a location that is in compliance with Chapter 5 of Title 24 of the District of Columbia Municipal Regulations, shall have first right of preference for the issuance of a vending site permit for the same vending location.

Sec. 5. Vending development zones.

The Mayor may establish vending development zones, upon application and after public hearing, in which the Mayor may waive the regulatory provisions, such as the design standards,

ENROLLED ORIGINAL

the standards for designation of vending locations, and the procedure for assigning vending locations, otherwise applicable to vendors; provided, that the Mayor shall establish, by rule, a procedure for reviewing applications for the establishment of a vending development zone.

Sec. 6. Public markets.

The Mayor may require the permitting of public markets on public space and may require the licensing of managers of public markets on public space and private space.

Sec. 7. Fees and funding.

(a) The Mayor may establish fees, by rule, for the application for, and issuance of, each license, permit, and authorization required under this act or the rules promulgated pursuant to this act. The Mayor may differentiate the fees based on the class of license, vending location, and other relevant factors.

(b)(1) There is established as a nonlapsing fund within the General Fund of the District of Columbia the Vending Regulation Fund ("Fund"), which shall be used solely for the purposes set forth in this section.

(2) Deposits into the Fund shall include:

(A) Fees paid for the application for, and issuance or renewal of, a vending permit;

(B) Fees paid for the application for, and issuance or renewal of, the permit or other authorization issued by the Mayor setting forth the specific location on public space from which a person may vend;

(C) Funds authorized by an act of Congress, reprogramming, or intra-District transfer to be deposited into the Fund;

(D) Any other funds designated by law or rule to be deposited into the Fund; and

(E) Interest on funds deposited in the Fund.

(3) 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 paragraph (4) of this subsection, subject to authorization by Congress.

(4) Funds in the Fund may be used to pay the costs of administering this act, including costs associated with the issuance of licenses and permits described in paragraph (2)(A) and (B) of this subsection and the administration and enforcement of any rules promulgated under this act.

Sec. 8. Penalties.

The Mayor may establish civil penalties for the violation of this act and rules promulgated pursuant to this act, including the establishment of civil penalties pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective

ENROLLED ORIGINAL

October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*).

Sec. 9. Rules.

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 implement the provisions of this act, including rules regulating the design and maintenance of vendor carts, stands, vehicles, and other equipment and rules requiring that persons vending from public space maintain insurance in such form and amount as may be required by the Mayor. The proposed rules shall be submitted to the Council for a 60-day period of review, excluding weekends, holidays, and days of Council recess; provided, that rules regarding fees shall be submitted separately. If the Council does not approve or disapprove the proposed rules, by resolution, within the 60-day review period, the proposed rules shall be deemed disapproved.

Sec. 10. Conforming amendments.

(a) The third paragraph of section 1 of An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01(3)), is repealed.

Note,
§ 1-303.01

(b) Section 602(2) of the Fiscal Year 1997 Budget Support Act of 1996, effective April 9, 1997 (D.C. Law 11-198; D.C. Official Code § 10-1141.02(2)), is amended by striking the phrase “pursuant to paragraph 36 of section 7 of An Act making appropriations for the fiscal year ending June thirtieth, nineteen hundred and three and for other purposes, approved July 1, 1902 (32 Stat. 627; D.C. Code § 47-2834)” and inserting the phrase “issued on or after March 19, 2008” in its place.

Note,
§ 10-1141.02

(c) Title 47 of the District of Columbia Official Code is amended as follows:

(1) Section 47-2002.01 is amended as follows:

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

Note,
§ 47-2002.01

“(a) For the purposes of this section, the term “street vendor” means a person licensed to vend from a sidewalk, roadway, or other public space on or after March 19, 2008.

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

(i) Paragraph (2) is amended by striking the phrase “Class A license, Class B license, Class C nonfood license, Class C food license, or any combination of these licenses” and inserting the phrase “license authorizing the vending of merchandise, food, or services from public space or from door to door, including a temporary license,” in its place.

(ii) Paragraph (4) is repealed.

(2) Sections 47-2020(d) and 47-2834 are repealed.

Note,
§§ 47-2020,
47-2834

(3) The table of contents for Chapter 28 is amended by striking the phrase “47-2834. Sales on streets or public places.” and inserting the phrase “47-2834. Repealed.” in its place.

(d) Section 2(5)(A)(iii) of An Act Relating to the adulteration of foods and drugs in the

ENROLLED ORIGINAL

District of Columbia, approved February 17, 1898 (30 Stat. 246; D.C. Official Code § 48-102(5)(A)(iii)), is amended by striking the phrase “unless the vending locations are authorized by the Council pursuant to An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District, approved January 26, 1887 (24 Stat. 368; D.C. Official Code § 1-303.01)” and inserting the phrase “unless the vending locations are licensed by the Mayor on or after March 19, 2008” in its place.

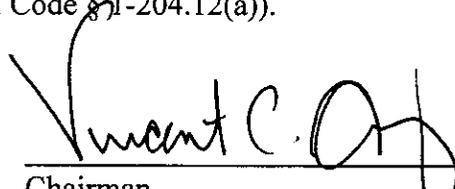
Note,
§ 48-102

Sec. 11. Fiscal impact statement.

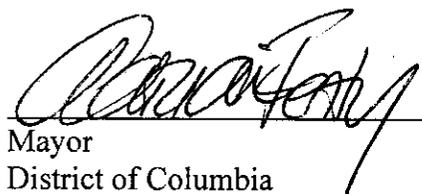
The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 12. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-48

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
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2001 Edition

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To amend, on an emergency basis, section 47-846.01 of the District of Columbia Official Code to defer a portion of the real property taxes owed to the District of Columbia by certain businesses during active streetscape construction.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Small Business Streetscape Construction Real Property Tax Deferral Emergency Act of 2009".

Sec. 2. Section 47-846.01 of the District of Columbia Official Code is amended as follows:

Note,
§ 47-846.01

(a) Designate the existing text as subsection (a).

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

“(b) Upon application, the Mayor shall defer, without penalty, until September 15, 2009, all the first half billing of real property taxes for tax year 2009 owed to the District of Columbia by a small business located within an active streetscape construction corridor on all the city blocks of H Street, N.E., between 3rd Street, N.E., and 15th Street, N.E.; all the city blocks of 7th Street, S.E., between North Carolina Avenue, S.E., and Pennsylvania Avenue, S.E.; and all the city blocks of 12th Street, N.E., between Michigan Avenue, N.E., and Monroe Street, N.E.”.

Sec. 3. Fiscal impact statement.

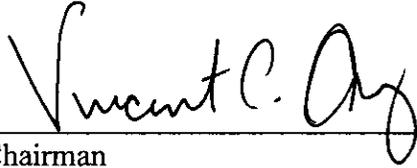
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

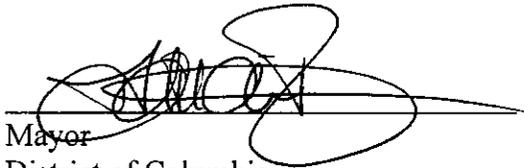
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council for the District of Columbia in section

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-49

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
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To provide, on an emergency basis, that a parent may surrender a newborn infant, where there is no actual or suspected abuse or neglect, to an authorized receiving facility without being charged with abuse, neglect, or abandonment of the newborn infant, to require hospitals to accept a surrendered newborn infant, to provide for further placement with the Child and Family Services Agency, to provide for the relinquishment and restoration of parental rights, to provide immunity to a facility and personnel receiving a surrendered newborn infant, and to require the Mayor to promulgate rules to implement this act and to submit the proposed rules to the Council for approval.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Newborn Safe Haven Emergency Act of 2009".

Sec. 2. Definitions.

For the purposes of this act, the term:

- (1) "Authorized Receiving Facility" means a hospital, or other place authorized by the Mayor, by rule, to accept a newborn for surrender pursuant to this act.
- (2) "CFSA" means the Child and Family Services Agency.
- (3) "Newborn" means an infant that a licensed physician or other person authorized to accept the surrender reasonably believes is 7 days old or less.
- (4) "Surrender" means to bring a newborn to an Authorized Receiving Facility during its hours of operation, and to leave the newborn with personnel of the Authorized Receiving Facility.

Sec. 3. Surrendering.

(a) Except when there is actual or suspected child abuse or neglect, a parent who surrenders a newborn shall have the right to remain anonymous and to leave the place of surrendering at any time and shall not be pursued by any person at the time of surrender or prosecuted for surrendering the newborn.

(b) Surrendering a newborn in accordance with this act, and rules promulgated pursuant to this act, shall not, by itself, constitute a basis for a finding of abuse, neglect, or abandonment of a newborn.

ENROLLED ORIGINAL

(c) The Authorized Receiving Facility personnel receiving the surrendered newborn shall make a reasonable effort to obtain family and medical history from the surrendering parent, on an anonymous basis, without seeking personal information, such as the identity or address, and to provide to the surrendering parent information on adoption and counseling services.

(d) The Authorized Receiving Facility personnel receiving the surrendered newborn shall file a written statement with Child and Family Services Agency, on or before the time CFSA assumes physical custody of the newborn, that includes the date, time, and circumstances of the surrender.

Sec. 4. Signage.

An Authorized Receiving Facility shall post a sign in a conspicuous place on the exterior of the facility that states in plain terms that a newborn may be surrendered at the facility in accordance with this act.

Sec. 5. Placement.

(a) After the surrendering of a newborn, an Authorized Receiving Facility that is not a hospital shall transport the newborn to the nearest hospital as soon as transportation can be arranged.

(b)(1) The act of surrendering shall constitute implied consent for the hospital to which the newborn is surrendered, or to which the newborn is transported, and the hospital's medical personnel and physicians, to treat and provide care for the newborn and arrange for further placement with CFSA.

(2) Hospital personnel shall immediately contact CFSA to report the surrender of the newborn and arrange for transport of the newborn to CFSA, which shall take place within 23 hours.

Sec. 6. Parental rights.

(a) Notwithstanding section 6(b) of An Act To regulate the placing of children in family homes, and for other purposes, approved April 22, 1944 (58 Stat. 193; D.C. Official Code § 4-1406(b)) ("placement act"), there shall be no 72-hour period prior to relinquishment under this act. A relinquishment of parental rights shall take place upon surrender. Upon CFSA's receipt of the statement required by section 3(d), CFSA shall take immediate care, custody, and control of the surrendered newborn.

(b) A relinquishment of parental rights under this act may be revoked and parental rights restored in accordance with section 6(c) and (d) of the placement act.

(c) Within 20 days after the expiration of the 10-day revocation period provided for in section 6(c) of the placement act, CFSA shall file a form acknowledging the surrender, along with a copy of the statement required by section 3(d), with the Family Court of the Superior Court of the District of Columbia.

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Sec. 7. Immunity from liability.

(a) An Authorized Receiving Facility and the personnel of an Authorized Receiving Facility shall be immune from civil or criminal liability for the good faith performance of responsibilities under this act, including liability for the failure to file a report that might otherwise be incurred or imposed on a person required to report suspected incidents of child abuse or neglect under section 2 of An Act To provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, approved November 5, 1966 (80 Stat. 1354; D.C. Official Code § 4-1321.02).

(b) In any civil or criminal proceeding brought under this act concerning a surrendered newborn, good faith shall be presumed unless rebutted.

Sec. 8. Rules.

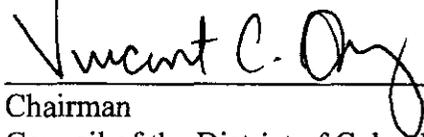
The Mayor shall issue rules to implement the provisions of this act. The proposed rules shall be submitted to the Council for a 45-day period of review, excluding days of Council recess. If the Council does not approve or disapprove the proposed rules, by resolution, within the 45-day review period, the proposed rules shall be deemed approved.

Sec. 9. Fiscal impact statement.

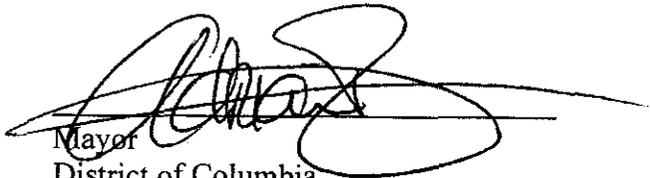
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 10. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-50

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend, on an emergency basis, the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to require that any term employee, in the Department of Parks and Recreation, serving more than 4 consecutive term appointments shall be converted to a career service employee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Department of Parks and Recreation Term Employee Appointment Emergency Amendment Act of 2009".

Sec. 2. Section 801(a) 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 § 1-608.01(a)), is amended by adding a new paragraph (6A) to read as follows:

Note,
§ 1-608.01

"(6A) The position of a term employee in the Department of Parks and Recreation, paid by local appropriated funds and performing permanent services, that is renewed for more than 4 consecutive term appointments shall be converted to a career service employee position, subject to all laws regulating employee competition."

Sec. 3. Fiscal impact statement.

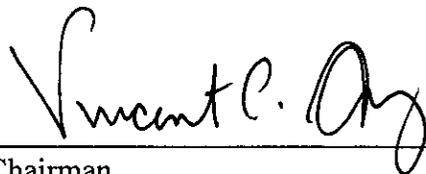
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-51

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
APRIL 29, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend, on an emergency basis, section 2(f) of the Medical Insurance Empowerment Amendment Act of 2008 to suspend implementation of the open enrollment provisions of the amendatory act.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Medical Insurance Empowerment Emergency Amendment Act of 2009".

Sec. 2. The Medical Insurance Empowerment Amendment Act of 2008, effective March 25, 2009 (D.C. Law 17-369; 56 DCR 1346), is amended by adding a new section 2a to read as follows:

Note,
§ 31-3514

“Sec. 2a. Applicability.

“Section 2(f) shall apply as of July 10, 2009.”.

Sec. 3. Fiscal impact statement.

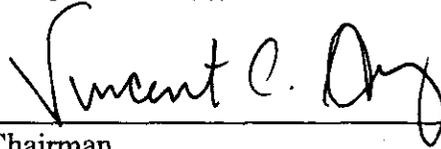
The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-52

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

To authorize, on an emergency basis, the issuance of revenue GARVEE Bonds supported by grants to be received from the Federal Highway Administration to finance transportation-related improvements in the District and to require an annual report by the Chief Financial Officer on how the bonds are structured, the amount of obligation, and a statement of whether the bonds are structured in such a way as to count toward the District's 12% debt cap.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Transportation Infrastructure Improvements GARVEE Bond Financing Emergency Act of 2009".

Sec. 2. Definitions.

For the purposes of this act, the term:

(1) "Authorized Signatory" means the Chief Financial Officer, the District of Columbia Treasurer, or any deputy mayor of the executive office of the Mayor to whom the Mayor has delegated any of the Mayor's functions under this act pursuant to section 422(6) of the Home Rule Act.

(2) "Bond Counsel" means a firm or firms of attorneys designated as bond counsel from time to time by the Chief Financial Officer.

(3) "Bonds" means the District of Columbia revenue bonds, notes, or other obligations (including refunding bonds, notes, and other obligations), in one or more series, authorized to be issued pursuant to this act and section 490 of the Home Rule Act.

(4) "Chairman" means the Chairman of the Council of the District of Columbia.

(5) "Chief Financial Officer" means the Chief Financial Officer established pursuant to section 424(a)(1) of the Home Rule Act.

(6) "Closing Documents" means all documents and agreements, other than Financing Documents, that may be necessary and appropriate to issue, sell, and deliver the GARVEE Bonds, and includes agreements, certificates, letters, opinions, forms, receipts, and other similar instruments.

(7) "Council" means the Council of the District of Columbia.

(8) "Debt Service" means payment of principal, premium, if any, and interest on the GARVEE Bonds.

ENROLLED ORIGINAL

(9) "District" means the District of Columbia.

(10) "Financing Documents" means the documents, other than Closing Documents, that relate to the financing or refinancing of transactions to be effected through the issuance, sale, and delivery of the GARVEE Bonds, including any offering document, and any required supplements to any such documents.

(11) "GARVEE" means grant anticipation revenue vehicle debt financing.

(12) "GARVEE Bonds" means bonds secured by GARVEE Revenues and issued to finance the Qualified Transportation Project.

(13) "GARVEE Revenues" means:

(A) Funds derived from the Federal Highway Administration and interest earnings derived from such funds; and

(B) Other investments, gifts, grants, contributions, appropriations, income, and any other amounts approved by Council resolution to be pledged to secure payment of GARVEE Bonds.

(14) "Home Rule Act" means the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 774; D.C. Official Code § 1-201.01 *et seq.*).

(15) "Mayor" means the Mayor of the District of Columbia.

(16) "Qualified Transportation Project" means the project to replace the twin 11th Street Bridges over the Anacostia River and to improve the interchanges at either end, including adding missing movements to and from the north onto the Anacostia Freeway. This project meets the eligibility requirements of the Federal Highway Administration as a permissible transportation expenditure under Title 23 of the Code of Federal Regulations.

(17) "Qualified Transportation Project Costs" means all costs incurred in the construction of the Qualified Transportation Project, including, without limitation:

(A) The purchase price or acquisition of any property or interest in those properties or other rights necessary or convenient for the project;

(B) Costs of the study, permitting, and engineering on the project, including the preparation of plans and specifications, surveys, and estimates of cost;

(C) Costs of construction, reconstruction, paving, repaving, building, alteration, repair, restoration, environmental review or remediation, enlargement, or other improvement, including all labor, materials, machinery, fixtures, and equipment, including rolling stock or vehicles;

(D) Costs of engineering, architectural, legal, and other professional services;

(E) Costs of reserves, insurance, letters of credit, or other financial guarantees for payment of future Debt Service on the GARVEE Bonds; and

(F) All other costs or expenses necessary or convenient to the project, including the financing or refinancing of the project.

Sec. 3. Bond authorization.

(a) Pursuant to section 490 of the Home Rule Act, the Council approves and authorizes

ENROLLED ORIGINAL

the issuance of one or more series of GARVEE Bonds to fund the Qualified Transportation Project Costs of the Qualified Transportation Project, provided:

(1) The aggregate principal amount of GARVEE Bonds that may be issued is the amount that can be supported by Debt Service equal to the annual GARVEE Revenues received by the District, but shall not exceed \$200 million;

(2) The GARVEE Bonds may be issued from time to time in one or more series;

(3) The GARVEE Bonds shall be tax-exempt or taxable as the Chief Financial Officer shall determine and shall be payable and secured as provided in section 5.

(b) The Mayor is authorized to pay from the proceeds of the GARVEE Bonds the costs and expenses of issuing and delivering the GARVEE Bonds, including, but not limited to, underwriting discount or fees, rating agency fees, legal fees, accounting fees, financial advisory fees, trustee and paying agent fees, collection agent fees, bond insurance, letters of credit and other credit enhancements, liquidity enhancements, and printing costs and expenses.

Sec. 4. Creation of the Transportation Infrastructure Improvement Fund.

(a) There is established as a nonlapsing fund, separate and apart from the General Fund of the District of Columbia, the Transportation Infrastructure Improvement Fund. The Chief Financial Officer shall deposit into the Transportation Infrastructure Improvement Fund the GARVEE Revenues and any other funds specifically designated by statute for deposit in the Transportation Infrastructure Improvement Fund. All funds deposited into the Transportation Infrastructure Improvement 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 (b) of this section without regard to fiscal year limitation, subject to authorization by Congress.

(b) The Mayor may pledge and create a security interest in the funds in the Transportation Infrastructure Improvement Fund, or any sub-account or sub-accounts within the Transportation Infrastructure Improvement Fund, for the payment of the Debt Service on the GARVEE Bonds without further action by the Council as permitted by section 490(f) of the Home Rule Act, such payment to be made in accordance with the provisions of the Financing Documents entered into by the District in connection with the issuance of the GARVEE Bonds.

Sec. 5. Payment and security.

(a) Except as may be otherwise provided in this act, the Debt Service on the GARVEE Bonds, and the payment of ongoing administrative expenses related to the GARVEE Bond financing, shall be payable solely from proceeds received from the sale of the GARVEE Bonds, income realized from the temporary investment of those proceeds, the GARVEE Revenues and any other receipts and revenues realized by the District and deposited into the Transportation Infrastructure Improvement Fund, and income realized from the temporary investment of the GARVEE Revenues and those other receipts and revenues prior to payment to the GARVEE Bond owners.

ENROLLED ORIGINAL

(b) Payment of the GARVEE Bonds shall be secured as provided in the Financing Documents and by an assignment by the District for the benefit of the GARVEE Bond owners of certain of its rights under the Financing Documents and Closing Documents to the trustee for the GARVEE Bonds pursuant to the Financing Documents.

(c) The trustee or paying agent is authorized to deposit, invest, and disburse the proceeds received from the sale of the GARVEE Bonds pursuant to the Financing Documents.

Sec. 6. Bond details.

(a) The Mayor is authorized to take any action reasonably necessary or appropriate in accordance with this act in connection with the preparation, execution, issuance, sale, delivery, security for, and payment of the GARVEE Bonds of each series, including, but not limited to, determinations of:

(1) The final form, content, designation, and terms of the GARVEE Bonds, including a determination that the GARVEE Bonds may be issued in certificated or book-entry form;

(2) The principal amount of the GARVEE Bonds to be issued and denominations of the GARVEE Bonds;

(3) The rate or rates of interest or the method for determining the rate or rates of interest on the GARVEE Bonds;

(4) The date or dates of issuance, sale, and delivery of, and the payment of interest on, the GARVEE Bonds, and the maturity date or dates of the GARVEE Bonds;

(5) The terms under which the GARVEE Bonds may be paid, optionally or mandatorily redeemed, accelerated, tendered, called, or put for redemption, repurchase, or remarketing before their respective stated maturities;

(6) Provisions for the registration, transfer, and exchange of the GARVEE Bonds and the replacement of mutilated, lost, stolen, or destroyed GARVEE Bonds;

(7) The creation of any reserve fund, sinking fund, or other fund with respect to the GARVEE Bonds;

(8) The time and place of payment of the GARVEE Bonds;

(9) Procedures for monitoring the use of the proceeds received from the sale of the GARVEE Bonds to ensure that the proceeds are properly applied and used to accomplish the purposes of the Home Rule Act and this act;

(10) Actions necessary to qualify the GARVEE Bonds under blue sky laws of any jurisdiction where the GARVEE Bonds are marketed; and

(11) The terms and types of credit enhancement under which the GARVEE Bonds may be secured.

(b) The GARVEE Bonds shall contain a legend which shall provide that the GARVEE Bonds are special obligations of the District, are without recourse to the District, are not a pledge of, and do not involve, the faith and credit or the taxing power of the District, do not constitute a debt of the District, and do not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

ENROLLED ORIGINAL

(c) The GARVEE Bonds shall be executed in the name of the District and on its behalf by the manual or facsimile signature of the Mayor, and attested by the Secretary of the District of Columbia by the Secretary's manual or facsimile signature.

(d) The official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the GARVEE Bonds.

(e) The GARVEE Bonds of any series may be issued in accordance with the terms of a trust instrument to be entered into by the District and a trustee or paying agent to be selected by the Chief Financial Officer, and may be subject to the terms of one or more agreements entered into by the Mayor pursuant to section 490(a)(4) of the Home Rule Act.

(f) The GARVEE Bonds may be issued at any time or from time to time in one or more issues and in one or more series.

(g) The GARVEE Bonds are declared to be issued for essential public and governmental purposes. The GARVEE Bonds, the interest thereon, the income therefrom, and all funds pledged or available to pay or secure the payment of the GARVEE Bonds shall at all times be exempt from taxation by the District, except for estate, inheritance, and gift taxes.

(h) The District pledges, covenants, and agrees with the holders of the GARVEE Bonds that, subject to the provisions of the Financing Documents, the District will not limit or alter the GARVEE Revenues pledged to secure the GARVEE Bonds or the basis on which the GARVEE Revenues are collected or allocated, will not impair the contractual obligations of the District to fulfill the terms of any agreement made with the holders of the GARVEE Bonds, will not in any way impair the rights or remedies of the holders of the GARVEE Bonds, and will not modify in any way the exemptions from taxation provided for in this act, until the GARVEE Bonds, together with interest thereon, and all costs and expenses in connection with any suit, action, or proceeding by or on behalf of the holders of the GARVEE Bonds, are fully met and discharged. This pledge and agreement for the District may be included as part of the contract with the holders of the GARVEE Bonds. This subsection constitutes a contract between the District and the holders of the GARVEE Bonds. To the extent that any acts or resolutions of the Council may be in conflict with this act, this act shall be controlling.

(i) Consistent with section 490(a)(4)(B) of the Home Rule Act and notwithstanding Chapter 9 of Title 28 of the District of Columbia Official Code:

(1) A pledge made and security interest created in respect of the GARVEE Bonds or pursuant to any related Financing Document shall be valid, binding, and perfected from the time the security interest is created, with or without physical delivery of any funds or any property and with or without any further action;

(2) The lien of the pledge shall be valid, binding, and perfected as against all parties having any claim of any kind in tort, contract, or otherwise against the District, whether or not such party has notice; and

(3) The security interest shall be valid, binding, and perfected whether or not any statement, document, or instrument relating to the security interest is recorded or filed.

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Sec. 7. Issuance of the GARVEE Bonds.

(a) The GARVEE Bonds of any series may be sold at negotiated or competitive sale at, above, or below par, to one or more persons or entities, and upon such terms that the Mayor or an Authorized Signatory considers to be in the best interests of the District.

(b) The Mayor or an Authorized Signatory may execute, in connection with each sale of the GARVEE Bonds, offering documents on behalf of the District, may deem final any such offering document on behalf of the District for purposes of compliance with federal laws and regulations governing such matters, and may authorize the distribution of the documents in connection with the GARVEE Bonds being sold.

(c) The Mayor or an Authorized Signatory is authorized to deliver executed and sealed GARVEE Bonds, on behalf of the District, for authentication, and, after the GARVEE Bonds have been authenticated, to deliver the GARVEE Bonds to the original purchasers of the GARVEE Bonds upon payment of the purchase price.

(d) The GARVEE Bonds shall not be issued until the Mayor receives an approving opinion from Bond Counsel as to the validity of the GARVEE Bonds of such series and, if the interest on the GARVEE Bonds is expected to be exempt from federal income taxation, the treatment of the interest on the GARVEE Bonds for purposes of federal income taxation.

(e) The District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 2-301.01 *et seq.*), and subchapter III of Chapter 3 of Title 47 of the District of Columbia Official Code shall not apply to any contract the Mayor or the Chief Financial Officer may from time to time enter into, or the Mayor or the Chief Financial Officer may determine to be necessary or appropriate, for purposes of this act.

Sec. 8. Financing and Closing Documents.

(a) The Mayor or the Chief Financial Officer is authorized to prescribe the final form and content of all Financing Documents and all Closing Documents to which the District is a party that may be necessary or appropriate to issue, sell, and deliver the GARVEE Bonds.

(b) The Mayor or an Authorized Signatory is authorized to execute, in the name of the District and on its behalf, the Financing Documents and any Closing Documents to which the District is a party by the Mayor's manual or facsimile signature.

(c) If required, the official seal of the District, or a facsimile of it, shall be impressed, printed, or otherwise reproduced on the GARVEE Bonds, the other Financing Documents, and the Closing Documents to which the District is a party.

(d) The Mayor's or the Authorized Signatory's execution and delivery of the Financing Documents and the Closing Documents to which the District is a party shall constitute conclusive evidence of the Mayor's or the Authorized Signatory's approval, on behalf of the District, of the final form and content of the executed Financing Documents and the executed Closing Documents.

(e) The Mayor or an Authorized Signatory is authorized to deliver the executed and sealed Financing Documents and Closing Documents, on behalf of the District, prior to or simultaneously with the issuance, sale, and delivery of the GARVEE Bonds, and to ensure the

ENROLLED ORIGINAL

due performance of the obligations of the District contained in the executed, sealed, and delivered Financing Documents and Closing Documents.

Sec. 9. Limited liability.

(a) The GARVEE Bonds shall be special obligations of the District. The GARVEE Bonds shall be without recourse to the District. The GARVEE Bonds shall not be general obligations of the District, shall not be a pledge of, or involve, the faith and credit or the taxing power of the District, shall not constitute a debt of the District, and shall not constitute lending of the public credit for private undertakings as prohibited in section 602(a)(2) of the Home Rule Act.

(b) The GARVEE Bonds shall not give rise to any pecuniary liability of the District and the District shall have no obligation with respect to the purchase of the GARVEE Bonds.

(c) No person, including, but not limited to any GARVEE Bond owner, shall have any claims against the District or any of its elected or appointed officials, officers, employees, or agents for monetary damages suffered as a result of the failure of the District to perform any covenant, undertaking, or obligation under this act, the GARVEE Bonds, the Financing Documents, or the Closing Documents, or as a result of the incorrectness of any representation in or omission from the Financing Documents or the Closing Documents, unless the District or its elected or appointed officials, officers, employees, or agents have acted in a willful and fraudulent manner.

Sec. 10. District officials.

(a) Except as otherwise provided in section 9(c), the elected or appointed officials, officers, employees, or agents of the District shall not be liable personally for the payment of the GARVEE Bonds or be subject to any personal liability by reason of the issuance of the GARVEE Bonds, or for any representations, warranties, covenants, obligations, or agreements of the District contained in this act, the GARVEE Bonds, the Financing Documents, or the Closing Documents.

(b) The signature, countersignature, facsimile signature, or facsimile countersignature of any official appearing on the GARVEE Bonds, the Financing Documents, or the Closing Documents shall be valid and sufficient for all purposes notwithstanding the fact that the individual signatory ceases to hold that office before delivery of the GARVEE Bonds, the Financing Documents, or the Closing Documents.

Sec. 11. Maintenance of documents.

Copies of the specimen GARVEE Bonds and of the final Financing Documents and Closing Documents shall be filed in the Office of the Secretary of the District of Columbia.

Sec. 12. Information reporting.

(a) Within 3 days after the Mayor's receipt of the transcript of proceedings relating to the issuance of the GARVEE Bonds, the Mayor shall transmit a copy of the transcript to the

ENROLLED ORIGINAL

Secretary to the Council.

(b) Within 12 months after the effective date of this act, and every 12 months thereafter, the Chief Financial Officer shall report to the Council on the amount of obligation per GARVEE Bond issued under this act, how the funds are committed within the 11th Street Bridge project, how each GARVEE bond is structured, and a statement of whether each GARVEE Bonds is structured in such a way as to count toward the District's 12% debt service cap.

Sec. 13. Authority of the Chief Financial Officer.

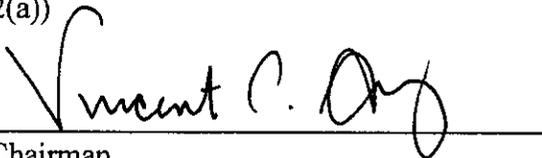
Notwithstanding any other provision of this act, the Mayor shall implement the provisions of this act in a manner consistent with the authority of the Chief Financial Officer under section 424d of the Home Rule Act.

Sec. 14. Fiscal impact statement.

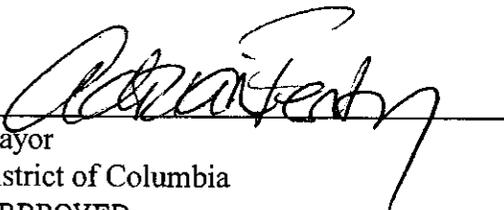
The Council adopts the fiscal impact statement of the Chief Financial Officer, dated January 7, 2009, with addendum dated February 13, 2009, as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813, D.C. Official Code § 1-206.02(c)(3)).

Sec. 15. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-53*Codification
District of
Columbia
Official Code*

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IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

To amend, on an emergency basis, the Office of Administrative Hearings Establishment Act of 2001 to permit the Rent Administrator, and those persons exercising authority delegated by the Rent Administrator, to retain authority to issue final orders and rule on post-hearing motions in cases in which they have held evidentiary hearings before October 1, 2006 and in cases remanded to the Rent Administrator by the Rental Housing Commission that do not require a new hearing.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Rent Administrator Hearing Authority Emergency Amendment Act of 2009".

Sec. 2. Section 6(b-1)(1) of the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code § 2-1831.03 (b-1)(1)), is amended as follows:

Note,
§ 2-1831.03

(a) The existing language is designated as subparagraph (A).

(b) A new subparagraph (B) is added to read as follows:

"(B) Notwithstanding subparagraph (A) of this paragraph, the Rent Administrator, or any employee or other person to whom authority has been delegated by the Rent Administrator, may issue a final order in any case in which an evidentiary hearing was conducted before October 1, 2006, but in which no final order was issued before that date, and in any case remanded by the Rental Housing Commission that does not require a new hearing to be conducted. The Rent Administrator, or a delegee, may also rule upon any post-hearing motion, including a motion for reconsideration."

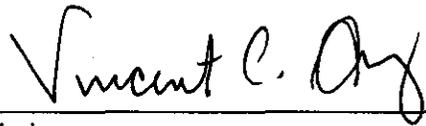
Sec. 3. Fiscal impact statement.

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

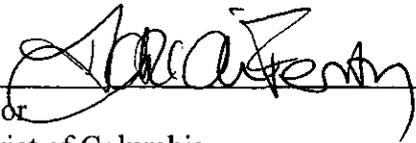
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Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-54

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 29, 2009

*Codification
 District of
 Columbia
 Official Code*

2001 Edition

2009 Summer
 Supp.

West Group
 Publisher

To amend Chapter 8 of Title 47 of the District of Columbia Official Code to provide for a residential tax abatement program for new multi-family residential development in the NoMA area of Wards 5 and 6.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “NoMA Residential Development Tax Abatement Act of 2009”.

Sec. 2. Chapter 8 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for Subchapter II of Chapter 8 is amended by adding new section designations to read as follows:

“47-859.01 Tax abatements for new residential developments — Definitions.

“47-859.02. Tax abatements for new residential developments — Requirements for all tax abatements for new residential developments.

“47-859.03. Tax abatements for new residential developments — Tax abatement for all new housing developments in NoMA.

“47-859.04. Tax abatements for new residential developments — Abatement cap.

“47-859.05. Tax abatements for new residential developments — Rules.”.

(b) New sections 47-859.01 through 47-859.05 are added to read as follows:

“§ 47-859.01. Tax abatements for new residential developments in NoMA —
 Definitions.

“For the purposes of §§ 47-859.01 through 47-859.05, the term:

“(1) “Eligible Area” means those portions of Wards 5 and 6 which comprise the geographic area defined by a line that starts at the center of the street at the intersection of Massachusetts Avenue, N.E., and 1st Street, N.E.; continuing north along the center line of 1st Street, N.E., to the center line of H Street, N.E.; continuing east along the center line of H Street, N.E., to the center line of 2nd Street, N.E.; continuing north along the center line of 2nd Street, N.E., to the center line of K Street, N.E.; continuing east along the center line of K Street, N.E., to the center line of 3rd Street, N.E.; continuing north along the center line of 3rd

New
 § 47-859.01

ENROLLED ORIGINAL

Street, N.E. (and including Lot 0058, Square 0774), to the center line of M Street, N.E.; continuing east along the center line of M Street, N.E., to 4th Street, N.E.; continuing along the center line of 4th Street, N.E., to the center line of Florida Avenue, N.E.; continuing northwest along the center line of Florida Avenue, N.E., until it crosses the WMATA rail line; continuing northeast along the boundary of the WMATA rail line until it crosses R Street, N.E.; continuing west along the center line of R Street, N.E., to Eckington Place, N.E.; continuing south along the center line of Eckington Place, N.E., to the center line of Q Street, N.E.; continuing west along the center line of Q Street, N.E. (and including Lots 0043, 0063, and 0070, Square 3519), to the center line of North Capitol Street (but excluding Lots 0104 through 0114, 0118 through 0133, and 0807, Square 3516.); continuing south along the center line of North Capitol Street to the center line of Eye Street, N.W.; continuing west along the center line of Eye Street, N.W., to the center line of New Jersey Avenue, N.W.; continuing southeast along the center line of New Jersey Avenue, N.W., to the center line of Massachusetts Avenue, N.W., continuing southeast along Massachusetts Avenue, N.W., to the center line of 1st Street, N.E. (the starting point).

“(2) “Eligible Real Property” means real property that:

“(A) Is located in an Eligible Area;

“(B) Is classified, in whole or in part, as Class 1 or Class 2 property under § 47-813(c-6);

“(C) Is improved by a new structure or by a previously uninhabitable structure which undergoes substantial renovation for residential use; and

“(D) Has 10 or more units devoted to residential use.

“§ 47-859.02. Tax abatements for new residential developments — Requirements for tax abatements for new residential developments.

New
§ 47-859.02

“(a) Subject to paragraph (1) of this subsection and subsections (b) and (c) of this section, and to the tax abatement limits imposed by § 47-859.04, the Mayor shall approve a tax abatement under § 47-859.03 for an Eligible Real Property if:

“(1) The owner, or his designee or assignee, receives:

“(A) A final building permit for the mechanical, electrical, plumbing, and heating, ventilation, and air conditioning systems for the building’s superstructure; or

“(B) A letter from both the building architect and the Mayor certifying that the 1st level of concrete has been laid and the building has received a building permit for both the building’s sheeting, shoring, and excavation work and the building’s foundation to grade structural work;

“(2) The owner, or his designee or assignee, requests a certification letter from the Mayor stating that the Eligible Real Property and project are approved for the tax abatement in a stated amount;

“(3) The Mayor transmits to the owner, or his designee or assignee, the certification letter requested under paragraph (2) of this subsection; and

“(4) The building permit for the project’s superstructure is received after January 1, 2008.

ENROLLED ORIGINAL

“(b) A tax abatement shall not be allowed under § 47-859.03:

“(1) Unless the owner, or his designee or assignee, satisfies subsections (a)(1) and (2) of this section on or before December 31, 2012;

“(2) Unless the 1st level of concrete for the project has been laid either before or within 6 months after the date the certification letter is transmitted by the Mayor under subsection (a)(3) of this section, if certification was requested based upon subsection (a)(1)(A) of this section;

“(3) If the project has not received a certificate of occupancy within 36 months after the date the certification letter is transmitted by the Mayor under subsection (a)(3) of this section; provided, that the Mayor may extend the 36-month period for up to 6 months if the building’s construction has reached grade, as certified by the project architect and the Mayor;

“(4) If the improvement of the Eligible Real Property is financed in any part under subchapter IX of Chapter 12 of Title 2;

“(5) If the Eligible Real Property receives relief under § 42-3508.02; or

“(6) If the Eligible Real Property was owned by the District of Columbia, or one of its instrumentalities, as of January 1, 2008.

“(c) The number of residential dwelling units that may be approved under § 47-859.03 for the tax abatement under § 47-859.04 shall be limited to 3,000 units in the aggregate. The Mayor shall keep a record of the number of residential dwelling units that are approved under § 47-859.03 and § 47-859.04.

“(d)(1) The Mayor shall, as nearly as practicable, review requests for certification in the order in which they were received and shall complete review of such requests for certification within 45 days after receipt.

“(2) A copy of all certification letters transmitted by the Mayor pursuant to subsection (a)(3) of this section shall be sent to the Office of Tax and Revenue.

“§ 47-859.03. Tax abatements for new residential developments — Tax abatement for all new housing projects in NoMA.

New
§ 47-859.03

“For all Eligible Real Properties certified under § 47-859.02, there shall be allowed as an abatement of the real property tax imposed by § 47-811 an amount computed as follows: \$1.50 per residential FAR square foot, multiplied by the building’s total residential FAR square footage as certified by the project architect and the Mayor; provided, that:

“(1) The tax abatement shall expire at the end of the 10th tax year after the tax year in which a certificate of occupancy is issued for the Eligible Real Property.

“(2) If, during a tax year for which the tax abatement is approved, the Eligible Real Property for which the abatement was granted contains fewer than 10 dwelling units, the tax abatement shall not be allowed.

“§ 47-859.04. Tax abatements for new residential developments — Abatement caps.

“The Mayor may approve an amount not to exceed \$5 million annually in tax abatements under §§ 47-859.03, not to exceed \$50 million in the aggregate.

New
§ 47-859.04

“§ 47-859.05. Tax abatements for new residential developments — Rules.

New
§ 47-859.05

ENROLLED ORIGINAL

“The Mayor shall promulgate rules to implement §§ 47-859.01 through 47-859.04 within 180 days after the effective date of this section.”.

Sec. 3. Applicability.

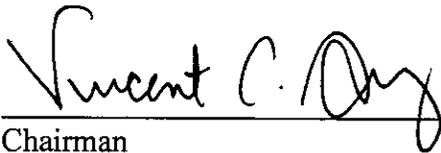
This act shall apply upon the inclusion of its fiscal effect in an approved budget and financial plan.

Sec. 4. Fiscal impact statement.

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

Sec. 5. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-55

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
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Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of occupational therapy, to provide for the regulation of dance therapy and recreation therapy by the Board of Occupational Therapy, to substitute a recreation therapist for an occupational therapy assistant on the Board of Occupational Therapy, and to update educational requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Occupational Therapy Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 102(9) (D.C. Official Code § 3-1201.02(9)) is amended as follows:

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

“(A) “Practice of occupational therapy” means:

“(i) The therapeutic use of everyday life activities with individuals or groups, with or without compensation, for the purpose of participation in roles and situations in homes, schools, workplaces, communities, and other settings to promote health and welfare for those who have or are at risk for developing an illness, injury, disease, disorder, condition, impairment, disability, activity limitation, or participation restriction;

“(ii) Addressing the physical, cognitive, psycho-social, sensory,
or

other aspects of performance in a variety of contexts to support engagement in everyday life activities that affect health, well-being, and quality of life;

“(iii) The education and training of persons in the direct care of patients through the use of occupational therapy; and

“(iv) The education and training of persons in the field of occupational therapy.”.

(2) Subparagraph (B) is amended by striking the phrase “supervision of or in consultation with a licensed occupational therapist” and inserting the phrase “general

Amend
§ 3-1201.02

ENROLLED ORIGINAL

supervision of a licensed occupational therapist” in its place.

(3) Subparagraph (C) is amended by striking the phrase “only under the direct supervision of an occupational therapist,” and inserting the phrase “under the immediate supervision of a licensed occupational therapist or licensed occupational therapy assistant,” in its place.

(b) Section 206 (D.C. Official Code § 3-1202.06) is amended as follows:

Amend
§ 3-1202.06

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

“(b) The Board shall regulate the practice of occupational therapy and the practice by occupational therapy assistants, dance therapists, and recreation therapists.”

(2) Subsection (c) is amended by striking the phrase “1 shall be an occupational therapy assistant licensed in the District,” and inserting the phrase “one shall be a recreation therapist registered in the District,” in its place.

(c) Section 504(g) (D.C. Official Code § 3-1205.04(g)) is amended as follows:

Amend
§ 3-1205.04

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

“(A) Has successfully completed an entry-level occupational therapy educational program accredited by the Accreditation Council for Occupational Therapy Education (“ACOTE”); and”.

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

“(A) An individual applying for a license to practice as an occupational therapy assistant under this act shall establish to the satisfaction of the Board of Occupational Therapy that the individual has successfully completed an occupational therapy assistant educational program accredited by ACOTE; and”.

(3) Paragraph (3) is repealed.

Sec. 3. Fiscal impact statement.

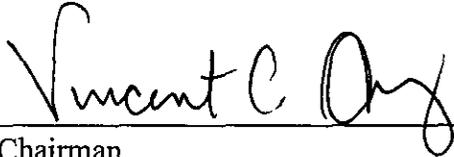
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

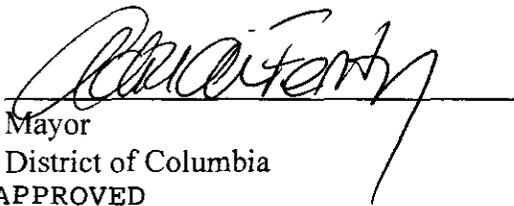
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-56

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA
APRIL 27, 2009

Codification
District of
Columbia
Official Code

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to define the practice of polysomnography, to provide for the regulation of polysomnography by the Board of Medicine, to establish an Advisory Committee on Polysomnography, and to require the Advisory Committee on Polysomnography to develop and submit guidelines relating to the practice of polysomnography to the Board of Medicine.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Polysomnography Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 3-1201.02) is amended by adding a new paragraph (14A) to read as follows:

Amend
§ 3-1201.02

“(14A)(A) “Practice of polysomnography” means the process of analyzing, monitoring, and recording physiologic data during sleep and wakefulness, with or without compensation, to assist in the assessment and diagnosis of sleep-wake disorders and other disorders, syndromes, and dysfunctions that are sleep-related, manifest during sleep, or that disrupt normal sleep-wake cycles and activities.

“(B) For the purposes of this paragraph, the term:

“(i) “Polysomnographic technician” means a person who is registered with the Board of Medicine and is authorized to perform certain polysomnography procedures as determined by the Board while generally supervised by either a physician who is licensed in the District of Columbia or a polysomnographic technologist who is licensed by the District of Columbia who is on-site or available through voice communication.

“(ii) “Polysomnographic technologist” means a person who is licensed with the Board of Medicine and is authorized to practice polysomnography; provided, that a polysomnographic technologist shall practice under the general supervision of a physician

ENROLLED ORIGINAL

who is licensed in the District of Columbia.

“(iii) “Polysomnographic trainee” means a person who is registered with the Board of Medicine and authorized to perform basic polysomnography procedures, as determined by the Board, while directly supervised by a physician who is licensed in the District of Columbia, a polysomnographic technologist who is licensed in the District of Columbia, or a polysomnographic technician who is registered in the District of Columbia and on the premises and immediately available for consultation.

“(C) Nothing in this paragraph shall be construed as limiting a qualified licensed respiratory care practitioner or licensed physician in his or her scope of practice, including care in connection with the provision of polysomnography services.”.

(b) Section 203 (D.C. Official Code § 3-1202.03) is amended as follows:

Amend
§ 3-1202.03

(1) The heading is amended by striking the phrase “and Surgical Assistants” and inserting the phrase “Polysomnography, and Surgical Assistants” in its place.

(2) Subsection (a)(8) is amended as follows:

(A) Subparagraph (B-2) is amended by striking the word “and” at the end.

(B) Subparagraph (C) is amended by striking the word “and” at the end.

(C) A new subparagraph (C-1) is added to read as follows:

“(C-1) The practice of polysomnography in accordance with guidelines approved by the Advisory Committee on Polysomnography.”.

(3) Redesignate subsection (c-3) as subsection (d-2).

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

“(d-1)(1) There is established an Advisory Committee on Polysomnography to consist of 5 members appointed by the Mayor.

“(2) The Advisory Committee on Polysomnography shall develop and submit to the Board guidelines for licensing, registration, and regulation of polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees in the District. The guidelines shall set forth the education and experience requirements for registration and licensure and the actions that may be performed by polysomnographic technologists, polysomnographic technicians, and polysomnographic trainees.

“(3) Of the members of the Advisory Committee on Polysomnography, 2 shall be physicians who have been certified by a national accrediting body as sleep specialists, 2 shall be licensed polysomnographic technologists, and one shall be the Director of the Department of Health or his designee.

“(4) The Advisory Committee on Polysomnography shall submit initial guidelines to the Board within 180 days of the effective date of the Practice of Polysomnography Amendment Act of 2009, passed on 2nd reading on April 7, 2009 (Enrolled version of Bill 18-33), and shall subsequently meet at least annually to review the guidelines

ENROLLED ORIGINAL

and make necessary revisions for submission to the Board.”.

(c) Section 401(b)(2) (D.C. Official Code § 3-1204.01(b)(2)) is amended by striking the phrase “Physician Assistants, the surgical” and inserting the phrase “Physician Assistants, the polysomnographic technologist members initially appointed to the Advisory Committee on Polysomnography, the surgical” in its place.

Amend
§ 3-1204.01

Sec. 3. Fiscal impact statement.

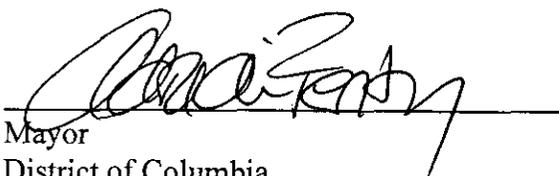
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-57

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

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2009 Summer
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Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to define the practice of addiction counseling, to amend the definition of the practice of professional counseling, to provide for the regulation of addiction counseling by the Board of Professional Counseling, to establish licensure requirements for graduate professional counselors, to provide for certification and licensure requirements for addiction counselors, and to provide for waiver of certain requirements for addiction counselors I and II.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Add the following after "Sec. 841. Qualifications for licensure.":

"TITLE VIII-C

"CATEGORIES AND QUALIFICATIONS OF ADDICTION COUNSELORS.

"Sec. 851. Certified addiction counselor I.

"Sec. 852. Certified addiction counselor II.

"Sec. 853. Advanced practice addiction counselor.

"Sec. 854. Waiver of requirements."

(2) Strike the phrase "Sec. 904. Addiction Counselor." and insert the phrase

"Sec. 904. Addiction Counselor. [Repealed]" in its place.

(b) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

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

"(1A) "Practice of addiction counseling" means providing services, with or without compensation, based on theory and methods of counseling, psychotherapy, and addictionology to persons who are experiencing cognitive, affective, or behavioral psycho-social

Amend
§ 3-1201.02

ENROLLED ORIGINAL

dysfunction as a direct or indirect result of addiction, chemical dependency, abuse of chemical substances, or related disorders. The practice of addiction counseling includes:

“(A) Addiction prevention;

“(B) Crisis intervention;

“(C) Diagnosis;

“(D) Referral;

“(E) Direct treatment;

“(F) Follow-up, which is rendered to individuals, families, groups, organizations, schools, and communities adversely affected by addictions or related disorders; and

“(G) The education and training of persons in the field of addiction counseling.”.

(2) Paragraph (15A) is amended to read as follows:

“(15A) “Practice of professional counseling” means engaging in counseling or psychotherapy activities, including cognitive behavioral therapy or other modality, with or without compensation, to facilitate human development and to identify and remediate mental, emotional, or behavioral conditions and associated difficulties that interfere with mental health and wellness. The practice of professional counseling includes:

“(A) The processes of conducting interviews, tests, and other forms of assessment for the purpose of diagnosing individuals, families, and groups, as outlined in the Diagnostic and Statistical Manual of Disorders or other appropriate classification schemes, and determining treatment goals and objectives; and

“(B) Assisting individuals, families, and groups through a professional relationship to achieve long-term effective mental, emotional, physical, spiritual, social, educational, or career development and adjustment.”.

(c) Section 213 (D.C. Official Code § 3-1202.13) is amended as follows:

Amend
§ 3-1202.13

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

“(b) The Board shall regulate the practices of professional counseling and addiction counseling.”.

(2) Subsection (d) is amended by striking the phrase “and 1 shall be a consumer member” and inserting the phrase “one shall be a consumer member, and one shall have at least 5 years of experience in the field of addiction counseling” in its place.

(d) Section 710 (D.C. Official Code § 3-1207.10) is amended as follows:

Amend
§ 3-1207.10

(1) Designate the existing language as subsection (a).

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

“(b) The Board of Professional Counseling shall license as a graduate professional counselor a person who, in addition to meeting the requirements of Title V, has satisfactorily completed the examination process and has completed 48 hours of graduate education leading to a Master’s degree in counseling or a related subject from an accredited college or university.

ENROLLED ORIGINAL

“(c) The Board of Professional Counseling shall license, by endorsement, a professional counselor who, in addition to meeting the requirements of Title V, is currently licensed in another state and meets the American Association of State Counseling Boards Tier II requirements, which consist of:

“(1) Completion of at least 60 hours of postgraduate education leading to a Master’s degree in counseling or a related field obtained from an institution of higher education that is regionally accredited by an accrediting body recognized by the U.S. Department of Education;

“(2) Supervision by another person, which shall consist of at least 2 years of post-Master’s counseling experience with a minimum of 4,000 hours;

“(3) Having 2,500 hours of direct client contact within the 4,000 hours;

“(4) A minimum of 100 hours of clinical supervision, post-Master’s, of which 50 hours may be in group supervision; and

“(5) Five years of post-licensure experience in clinical counseling at the independent level.”

(e) A new Title VIII-C is added to read as follows:

“TITLE VIII-C

“CATEGORIES AND QUALIFICATIONS OF ADDICTION COUNSELORS.

“Sec. 851. Certified addiction counselor I.

“(a) The Board of Professional Counseling shall certify as an addiction counselor I a person who, in addition to meeting the requirements of Title V:

“(1)(A) Has met the educational requirements of graduating with at least an associate’s degree in health or human services from an accredited institution that incorporates the academic course work and minimum hours of supervised training required by the regulations adopted by the Board and whose program is accredited by an agency recognized by the U.S. Department of Education; or

“(B) Has at least 2 years of documented, supervised experience in the field of addiction counseling; and

“(2) Passed a national examination approved by the Board.

“(b) A certified addiction counselor I shall practice addiction counseling under the supervision of an authorized health-care professional.

“Sec. 852. Certified addiction counselor II.

“(a) The Board of Professional Counseling shall certify as an addiction counselor II a person who, in addition to meeting the requirements of Title V:

“(1)(A) Has met the educational requirements of graduating with at least a bachelor’s degree in health or human services from an accredited institution that incorporates the academic course work and minimum hours of supervised training required by the regulations adopted by the Board and whose program is accredited by an agency recognized by the U.S. Department of Education; or

ENROLLED ORIGINAL

“(B) Has at least 5 years of documented experience in the field of addiction counseling; and

“(2) Passed a national examination approved by the Board.

“(b) A certified addiction counselor II shall practice addiction counseling under the supervision of an authorized health-care professional.

“Sec. 853. Advanced practice addiction counselor.

“(a) The Board of Professional Counseling shall license as an advanced practice addiction counselor a person who, in addition to meeting the requirements of Title V:

“(1) Has met the educational requirements of graduating with at least a master’s or doctorate degree in health or human services from an accredited institution that incorporates the academic course work and minimum hours of supervised training adopted by the Board and whose program is accredited by an agency recognized by the U.S. Department of Education; and

“(2) Passed a national examination approved by the Board.

“Sec. 854. Waiver of requirements.

“(a) The Board of Professional Counseling shall waive the educational and examination requirements for any applicant for certification who can demonstrate to the satisfaction of the Board that he or she has been performing the function of an addiction counselor I, as defined in section 851, on a full-time or substantially full-time basis continually for at least 24 months immediately preceding the effective date of the Practice of Professional Counseling and Addiction Counseling Amendment Act of 2009, passed on 2nd reading on April 7, 2009 (Enrolled version of Bill 18-34) (“Counseling Act”), and is qualified to do so on the basis of pertinent education, training, experience, and demonstrated current competence; provided, that the application is made within 24 months of the effective date of the Counseling Act.

“(b) The Board of Professional Counseling shall waive the educational and examination requirements for any applicant for certification who can demonstrate to the satisfaction of the Board, that he or she has been performing the function of an addiction counselor II, as defined in section 852, on a full-time or substantially full-time basis continually for at least 60 months immediately preceding the effective date of the Counseling Act and is qualified to do so on the basis of pertinent education, training, experience, and demonstrated current competence; provided, that the application is made within 24 months of the effective date of the Counseling Act.”.

(f) Section 904 (D.C. Official Code § 3-1209.04) is repealed.

Repeal
§ 3-1209.04

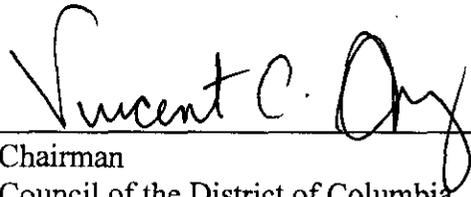
Sec. 3. Fiscal impact statement.

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

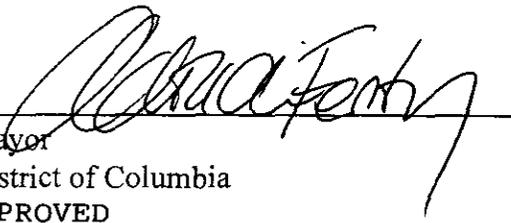
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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
 D.C. ACT 18-58

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

*Codification
 District of
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2001 Edition

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To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of psychology, to require the Board of Psychology to regulate psychology associates, and to provide for registration of psychology associates.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Psychology Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

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

"Sec. 906. Psychology associate."

(b) Section 102(16) (D.C. Official Code § 3-1201.02(16)) is amended as follows:

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

"(A)(i) "Practice of psychology" means the development and application, with or without compensation, of scientific concepts, theories, methods, techniques, procedures, and principles of psychology to aid in the understanding, measuring, explaining, predicting, preventing, fostering, and treating of abilities, disabilities, attributes, or behaviors that are:

"(I) Principally cognitive, such as aptitudes, perceptions, attitudes, or intelligence;

"(II) Affective, such as happiness, anger, or depression; or

"(III) Behavioral, such as physical abuse.

"(ii) The term "practice of psychology" includes:

"(I) Coaching, consulting, counseling, and various types of therapy, such as behavior therapy, group therapy, hypnotherapy, psychotherapy, and marriage, couples, and family therapy;

"(II) Intellectual, personality, behavioral, educational, neuropsychological, and psycho-physiological testing; and

Amend
 § 3-1201.02

ENROLLED ORIGINAL

“(III) Professional activities, such as research, teaching, training, interviewing, assessment, evaluation, pharmacology, and biofeedback.”.

(2) Subparagraph (B)(i) is amended to read as follows:

“(i) An individual bearing the title of psychologist in the employ of an academic institution, research organization, or laboratory, if the psychology-based activities or services offered are within the scope of employment, are consistent with his or her professional training and experience, and provided within the confines of employment.”.

(c) Section 211(b) (D.C. Official Code § 3-1202.11(b)) is amended by striking the phrase “psychology” and inserting the phrase “psychology and the practice by psychology associates” in its place.

Amend
§ 3-1201.11

(d) Section 504(o)(2) (D.C. Official Code § 3-1205.04(o)(2)) is amended to read as follows:

Amend
§ 3-1205.04

“(2) Completed at least 2 years of experience acceptable to the Board, at least one year of which must be postdoctoral experience.”.

(e) A new section 906 is added to read as follows:

“Sec. 906. Psychology associate.

“(a) A person who is engaged as a psychology associate in the District shall register with the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Mayor.

“(b) A person registered to practice as a psychology associate may provide psychological services and activities while under the direct supervision of a psychiatrist, or a licensed psychologist with a doctoral degree in psychology.

“(c) A psychology associate shall have graduated from an accredited college or university with at least a Master’s degree based on a program of studies primarily focusing on psychology, or a program judged by the Board to be substantially equivalent in subject matter and extent of training to a master’s or doctoral degree in psychology.

“(d) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules further setting forth the education and experience needed to qualify as a psychology associate.”.

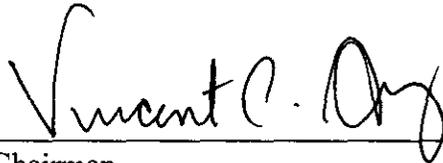
Sec. 3. Fiscal impact statement.

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

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Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-59

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

*Codification
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To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of dentistry, to require the Board of Dentistry to regulate dental assistants, and to provide for registration of dental assistants.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Dentistry Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

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

"Sec. 905. Dental assistant."

(b) Section 101 (D.C. Official Code § 3-1201.01) is amended as follows:

Amend
§ 3-1201.01

(1) Redesignate paragraph (6A) as paragraph (6B).

(2) A new paragraph (6A) is added to read as follows:

"(6A) "Domestic partner" shall have the same meaning as provided in section 2(3) of the Health Care Benefits Expansion Act of 1992, effective June 11, 1992 (D.C. Law 9-114; D.C. Official Code § 32-701(3))."

(c) Section 102(5) (D.C. Official Code § 3-1201.02(5)) is amended as follows:

Amend
§ 3-1201.02

(1) Subparagraph (G) is amended by striking the phrase "of malformation of a tooth or teeth;" and inserting the phrase "of malformation of a tooth or teeth, or to advertise, offer, sell, or deliver any such substitute or the services rendered in the construction, reproduction, repair, adjustment, or supply thereof to any person other than a licensed dentist;" in its place.

(2) Subparagraph (H) is amended by striking the word "or" at the end.

(3) Subparagraph (I) is amended by striking the phrase "graduate programs." and inserting the phrase "graduate programs; or" in its place.

(4) A new subparagraph (J) is added to read as follows:

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“(J) To be a manager, proprietor, operator, or conductor of a business or place where dental or dental-hygiene services are performed; provided, that this provision shall not apply to:

“(i) Federal or District of Columbia government agencies providing dental services within affiliated facilities or engaged in providing public health measures to prevent disease;

“(ii) Schools of dentistry, dental hygiene, or dental assisting accredited by the Commission on Dental Accreditation of the American Dental Association and providing dental services solely in an educational setting;

“(iii) Federally Qualified Health Centers, as designated by the United States Department of Health and Human Services, providing dental services;

“(iv) Nonprofit community-based entities or organizations that use a majority of public funds to provide dental and dental-hygiene services for indigent persons;

“(v) Hospitals licensed by the Department of Health;

“(vi) Partnerships, professional corporations, or professional limited liability companies solely consisting of and operated by dentists licensed under this act for the purpose of providing dental services;

“(vii) Spouses and domestic partners of deceased licensed dentists for a period of one year following the death of the licensee;

“(viii) If all of the ownership interest of the deceased, licensed dentist in a dental office or clinic is held by an administrator, executor, personal representative, guardian, conservator, or receiver of the estate (“appointee”), the appointee may retain the ownership interest for a period of one year following the creation of the ownership interest; and

“(ix) An individual or entity acting as the manager, proprietor, operator, or conductor of a business or place where dental or dental-hygiene services are performed who does not have a license to practice dentistry and is not excepted pursuant to subparagraphs (i) through (viii) of this subparagraph may continue to act as the manager, proprietor, operator, or conductor of the business or place where dental or dental-hygiene services are performed for a period of one year following the effective date of the Practice of Dentistry Amendment Act of 2009, passed on 2nd reading on April 7, 2009 (Enrolled version of Bill 18-36).”

(d) Section 201(b) (D.C. Official Code § 3-1202.01(b)) is amended to read as follows:

“(b) The Board shall regulate the practices of dentistry and dental hygiene and dental assistants.”

Amend
§ 3-1202.01

(e) A new section 905 is added to read as follows:

“Sec. 905. Dental assistant.

“(a) For the purposes of this section, the term:

“(1) “Dental assistant” means a person who is registered by the Board of

ENROLLED ORIGINAL

Dentistry and is authorized to assist a licensed dentist in the performance of duties related to oral care under the direct supervision of a dentist.

“(2) “Direct supervision” means the dentist is in the dental office or treatment facility, personally diagnoses the condition to be treated, personally authorizes the procedures, remains in the dental office or treatment facility while the procedures are being performed by the dental assistant, and personally evaluates the performance of the dental assistant before dismissal of the patient.

“(b) A person who is engaged as a dental assistant in the District of Columbia shall be registered with the Board, renew the registration as required by rule, and pay the required registration fee established by the Board.

“(c) A dental assistant shall wear a name tag bearing the title “dental assistant” while acting in a professional capacity and display his or her current registration in a conspicuous place in the dental office in which he or she is employed.

“(d) A person shall not engage in the practice, or use the title, of dental assistant unless he or she is registered to practice as a dental assistant under this act and practices under the direct supervision of a dentist licensed under this act. Unless authorized by the Board to perform duties related to oral care in the District, an individual shall not be permitted to perform any clinical duties or engage in any physical patient contact.

“(e) For a period of one year following the effective date of the Practice of Dentistry Amendment Act of 2009, passed on 2nd reading on April 7, 2009 (Enrolled version of Bill 18-36), unless further time is granted by the Board through rulemaking, persons who have received appropriate training for the tasks assigned may practice as a dental assistant.

“(f) A dentist may delegate duties to a dental assistant that are appropriate to the training and experience of the dental assistant and within the scope of practice of the supervising dentist; provided, that the dentist shall not delegate to a dental assistant any task or function identified, through rulemaking, as a task or function that shall not be delegated.

“(g) The Mayor shall issue rules necessary to implement the provisions of this section, including the standards of education and experience required to qualify as a registered dental assistant and the duties that may be performed by a dental assistant.”.

Sec. 3. Fiscal impact statement.

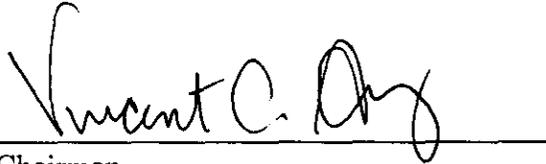
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

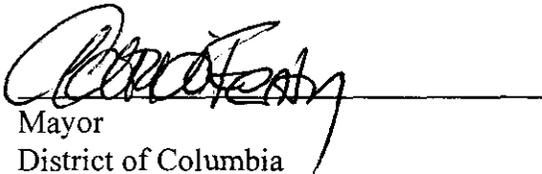
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-60

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
District of
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Official Code*

2001 Edition

2009 Summer
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Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of podiatry.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Podiatry Amendment Act of 2009".

Sec. 2. Section 102(14) of the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.02(14)), is amended to read as follows:

Amend
§ 3-1201.02

"(14) "Practice of podiatry" means to diagnose or surgically, medically, or mechanically treat, with or without compensation, the human foot or ankle, the anatomical structures that attach to the human foot, or the soft tissue below the mid-calf. The term "practice of podiatry" does not include the administration of an anesthetic, other than a local anesthetic."

Sec. 3. Fiscal impact statement.

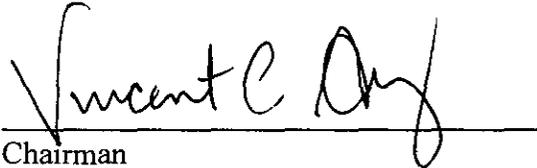
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-61

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

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2009 Summer
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Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of massage therapy, to eliminate the practice of non-therapeutic massage without a license, and to repeal language regarding waiver of licensure requirements.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Massage Therapy Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) Section 102(6B) (D.C. Official Code § 3-1201.02(6B)) is amended as follows:

Amend
§ 3-1201.02

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

“(A) "Practice of massage therapy" means the:

“(i) Performance of therapeutic maneuvers in which the practitioner applies massage techniques, including use of the hand or limb to apply touch and pressure to the human body through tapping, stroking, kneading, compression, friction, stretching, vibrating, holding, positioning, or causing movement of an individual's body to positively affect the health and well-being of the individual;

“(ii) Use of adjunctive therapies, including the application of heat, cold, water, and mild abrasives, but excluding galvanic stimulation, ultra sound, doppler vascularizers, diathermy, transcutaneous electrical nerve stimulation, or traction; and

“(iii) Education and training of persons in massage therapy techniques.”.

(2) Subparagraph (D) is repealed.

(b) Section 103(d)(5) (D.C. Official Code § 3-1201.03(d)(5)) is amended by striking the phrase “, the practice of nontherapeutic massage,”.

Amend
§ 3-1201.03
Repeal
§§ 3-1207.31,
3-1207.32.

(c) Title VII-C (D.C. Official Code §§ 3-1207.31, 3-1207.32, and 3-1207.33) is repealed.

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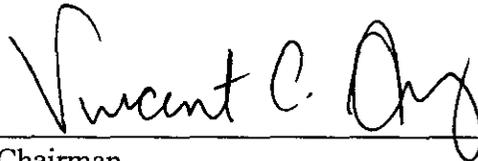
Sec. 3. Fiscal impact statement.

§ 3-1207.33

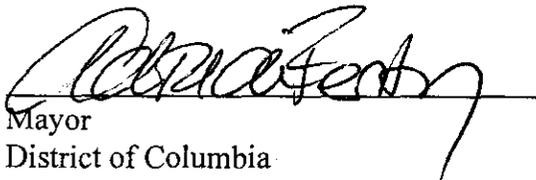
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-62

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

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To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of advanced practice registered nursing, to define the practice by nursing assistive personnel, to amend the definition of the practice of practical nursing, to amend the definition of the practice of registered nursing, to redefine the standards for the approval of nursing schools and programs, to establish the position of executive director for the Board of Nursing, and to provide for the registration of nursing assistive personnel in accordance with standards promulgated by the Mayor.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practice of Nursing Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended as follows:

(1) Strike the phrase "Sec. 608. Qualifications, certification." and insert the phrase "Sec. 608. Qualifications, certification.[Repealed]" in its place.

(2) A new section designation is added to Title IX to read as follows:
"Sec. 907. Nursing assistive personnel."

(b) Section 102 (D.C. Official Code § 3-1201.02) is amended as follows:

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

"(2) "Practice of advanced practice registered nursing" means the performance of advanced-level nursing actions, with or without compensation, by a licensed registered nurse with advanced education, knowledge, skills, and scope of practice who has been certified to perform such actions by a national certifying body acceptable to the Board of Nursing. The practice of advanced practice registered nursing includes:

- "(A) Advanced assessment;
- "(B) Medical diagnosis;
- "(C) Prescribing;

Amend
§ 3-1201.02

ENROLLED ORIGINAL

“(D) Selecting, administering, and dispensing therapeutic measures;

“(E) Treating alterations of the health status; and

“(F) Carrying out other functions identified in title VI and in accordance with procedures required by this act.”.

(2) A new paragraph (7B) is added to read as follows:

“(7B) “Practice by nursing assistive personnel” means the performance by unlicensed personnel of assigned patient care tasks that do not require professional skill or judgment within a health care, residential, or community support setting; provided, that the patient care tasks are performed under the general supervision of a licensed health care professional. Nursing assistive personnel includes:

“(A) Nursing assistants;

“(B) Health aides;

“(C) Home-health aides;

“(D) Nurse aides;

“(E) Trained medication employees;

“(F) Dialysis technicians; and

“(G) Any other profession as determined by the Mayor through rulemaking.”.

(3) Paragraph (15) is amended to read as follows:

“(15) “Practice of practical nursing” means the performance of specific nursing services, with or without compensation, designed to promote and maintain health, prevent illness and injury, and provide care based on standards established or recognized by the Board of Nursing; provided, that performance of the services is under the supervision of a registered nurse, advanced practice registered nurse, licensed physician, or other health care provider, as authorized by the Board of Nursing. The practice of practical nursing includes:

“(A) Collecting data on the health status of patients;

“(B) Evaluating a patient’s status and situation at hand;

“(C) Participating in the performance of ongoing comprehensive nursing assessment process;

“(D) Supporting ongoing data collection;

“(E) Planning nursing care episodes for patients with stable conditions;

“(F) Participating in the development and modification of the comprehensive plan of care for all types of patients;

“(G) Implementing appropriate aspects of the strategy of care within a patient-centered health care plan;

“(H) Participating in nursing care management through delegating to assistive personnel and assigning to other licensed practical nurses nursing interventions that may be performed by others and do not conflict with this act;

“(I) Maintaining safe and effective nursing care rendered directly or

ENROLLED ORIGINAL

indirectly;

“(J) Promoting a safe and therapeutic environment;

“(K) Participating in health teaching and counseling to promote, attain, and maintain optimum health levels of patients;

“(L) Serving as an advocate for patients by communicating and collaborating with other health care service personnel; and

“(M) Participating in the evaluation of patient responses to interventions.”

(4) Paragraph (17) is amended to read as follows:

“(17) “Practice of registered nursing” means the performance of the full scope of nursing services, with or without compensation, designed to promote and maintain health, prevent illness and injury, and provide care to all patients in all settings based on standards established or recognized by the Board of Nursing. The practice of registered nursing includes:

“(A) Providing comprehensive nursing assessment of the health status of patients, individuals, families, and groups;

“(B) Addressing anticipated changes in a patient’s condition as well as emerging changes in a patient’s health status;

“(C) Recognizing alterations of previous physiologic patient conditions;

“(D) Synthesizing biological, psychological, spiritual, and social nursing diagnoses;

“(E) Planning nursing interventions and evaluating the need for different interventions and the need for communication and consultation with other health care team members;

“(F) Collaborating with health care team members to develop an integrated client-centered health care plan as well as providing direct and indirect nursing services of a therapeutic, preventive, and restorative nature in response to an assessment of the patient’s requirements;

“(G) Developing a strategy of nursing care for integration within the patient-centered health plan that establishes nursing diagnoses, sets goals to meet identified health care needs, determines nursing interventions, and implements nursing care through the execution of independent nursing strategies and regimens requested, ordered, or prescribed by authorized health care providers;

“(H) Performing services such as:

“(i) Counseling;

“(ii) Educating for safety, comfort, and personal hygiene;

“(iii) Preventing disease and injury; and

“(iv) Promoting the health of individuals, families, and

communities;

“(I) Delegating and assigning interventions to implement a plan of care;

ENROLLED ORIGINAL

“(J) Administering nursing services within a health care facility, including the delegation and supervision of direct nursing functions and the evaluation of the performance of these functions;

“(K) Delegating and assigning nursing interventions in the implementation of a plan of care along with evaluation of the delegated interventions;

“(L) Providing for the maintenance of safe and effective nursing care rendered directly or indirectly as well as educating and training persons in the direct nursing care of patients;

“(M) Engaging in nursing research to improve methods of practice;

“(N) Managing, supervising, and evaluating the practice of nursing;

“(O) Teaching the theory and practice of nursing; and

“(P) Participating in the development of policies, procedures, and systems to support the patient.”

(c) Section 204 (D.C. Official Code § 3-1202.04) is amended as follows:

Amend
§ 3-1202.04

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

“(b)(1) The Board shall regulate the practice of advanced practice registered nursing, registered nursing, practical nursing, and nursing assistive personnel. Advanced practice registered nursing shall include the categories of nurse midwife, nurse anesthetist, nurse-practitioner, and clinical nurse specialist.

“(2) The Board shall recommend for promulgation by the Mayor curricula and standards required for the approval of nursing schools and nursing programs in the District of Columbia. At a minimum, the Board shall require that nursing schools and nursing programs be accredited by a Board-recognized national nursing accrediting agency. The Board may also recommend to the Mayor rules governing the procedures for withdrawing approval of nursing schools and nursing programs.”

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

“(f) The Mayor shall appoint an executive director, who shall be a full-time employee of the District, to administer and implement the orders of the Board in accordance with this title and rules and regulations issued pursuant to this title.”

(d) Section 504(m) (D.C. Official Code § 3-1205.04(m)) is amended to read as follows:

Amend
§ 3-1205.04

“(m) An individual applying for a license to practice practical nursing under this act shall establish to the satisfaction of the Board of Nursing that the individual has successfully completed an educational program in practical nursing that is approved by the Board or by a state board of nursing with standards substantially equivalent to the standards of the District of Columbia.”

(e) Section 608 (D.C. Official Code § 3-1206.08) is repealed.

Repeal
§ 3-1206.08

(f) A new section 907 is added to read as follows:

“Sec. 907. Nursing assistive personnel.

ENROLLED ORIGINAL

“(a) Persons who are engaged as nursing assistive personnel in the District shall register with the Mayor, renew the registration as required by rule, and pay the required registration fee established by the Mayor.

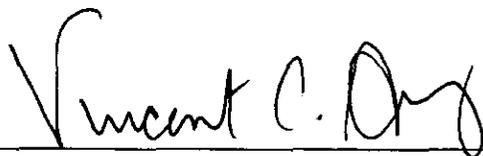
“(b) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules setting forth the standards of education and experience required to qualify as nursing assistive personnel.”.

Sec. 3. Fiscal impact statement.

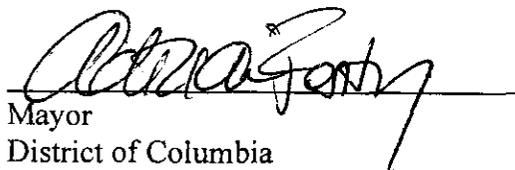
The Council adopts the fiscal impact statement in the committee report as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-63

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

Codification
District of
Columbia
Official Code

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2009 Summer
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Publisher

To amend the District of Columbia Health Occupations Revision Act of 1985 to amend the definition of the practice of medicine and to repeal the registration of naturopaths.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Practices of Medicine and Naturopathic Medicine Amendment Act of 2009".

Sec. 2. The District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1201.01 *et seq.*), is amended as follows:

(a) The table of contents is amended by striking the phrase "Sec. 901. Naturopathy." and inserting the phrase "Sec. 901. Naturopathy. [Repealed]" in its place.

(b) Section 102(7) (D.C. Official Code § 3-1201.02(7)) is amended to read as follows:

Amend
§ 3-1201.02

"(7)(A) "Practice of medicine" means suggesting, recommending, prescribing, or administering, with or without compensation, any form of treatment, operation, drug, medicine, manipulation, electricity, or any physical, mechanical, or healing treatment by other means, for the prevention, diagnosis, correction, or treatment of a physical or mental disease, ailment, injury, condition, or defect of any person, including:

"(i) The management of pregnancy and parturition;

"(ii) The interpretation of tests, including primary diagnosis of pathology specimens, images, or photographs;

"(iii) Offering or performing a surgical operation upon another person;

"(iv) Offering or performing any type of invasive procedure of the body, whether through a body opening or a cutting of the skin, or otherwise affecting the layer of skin below the stratum corneum, for surgical, therapeutic, or cosmetic purposes, excluding procedures known as body tattooing or body piercing;

"(v) Rendering a written or otherwise documented medical opinion relating to the diagnosis and treatment of a person within the District, or the actual

ENROLLED ORIGINAL

rendering of treatment to a person within the District, by a physician located outside the District as a result of transmission of the person's medical data by electronic or other means from within the District to the physician or to the physician's agent;

“(vi) Maintaining an office or other place for the purpose of examining persons afflicted with disease, injury, or defect of body or mind;

“(vii) Advertising or representing in any manner that one is authorized to practice medicine; or

“(viii) Using the designation “Doctor of Medicine,” “Doctor of Osteopathy,” “physician,” “surgeon,” “physician and surgeon,” “M.D.,” or “D.O.,” or a similar designation, or any combination thereof, in the conduct of an occupation or profession pertaining to the prevention, diagnosis, or treatment of human disease or condition, unless the designation additionally contains the description of another branch of the healing arts for which one holds a valid license.

“(B) Nothing in this paragraph shall be construed as preventing or restricting other health professionals from offering or undertaking any type of invasive procedure of the body, whether through a body opening or a cutting of the skin, or otherwise affecting the layer of skin below the stratum corneum, for surgical, therapeutic, or cosmetic purposes, if the procedure:

“(i) Has been authorized by a licensed physician; or

“(ii) Is performed by an advanced practice registered nurse, an anesthesiologist assistant, a dentist, a physician assistant, a podiatrist, a practical nurse, a registered nurse, or a surgical assistant who has received the necessary training and experience to perform the procedure in a safe and effective manner.

“(C) Nothing in this paragraph shall be construed as preventing or restricting advanced practice registered nurses from performing their duties as advanced practice registered nurses.”

(c) Section 901 (D.C. Official Code § 3-1209.01) is repealed.

(d) Section 1003(x) (D.C. Official Code § 3-1210.03(x)) is amended by striking the last sentence.

Repeal
§ 3-1209.01
Amend
§ 3-1210.03

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

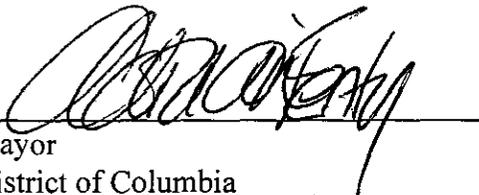
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-64

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend, on a temporary basis, the Continuation of Health Coverage Act of 2002 to provide that an employee shall have the right to continue coverage under the employer's health benefits plan for the length of time a subsidy is available under the American Recovery and Reinvestment Act of 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Continuation of Health Coverage Temporary Amendment Act of 2009".

Sec. 2. Section 3(a) of the Continuation of Health Coverage Act of 2002, effective June 25, 2002 (D.C. Law 14-149; D.C. Official Code § 32-732(a)), is amended by striking the phrase "3 months" and inserting the phrase "3 months, or for the period of time during which the employee is eligible for premium assistance under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (Pub. L. No. 111-5; 123 Stat. 115)" in its place.

Note,
§ 32-732

Sec. 3. Fiscal impact statement.

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

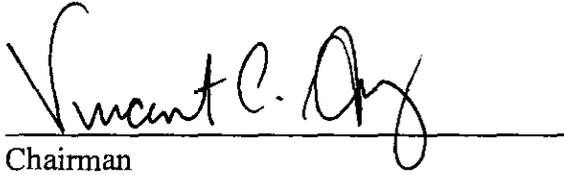
Sec. 4. Effective date.

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

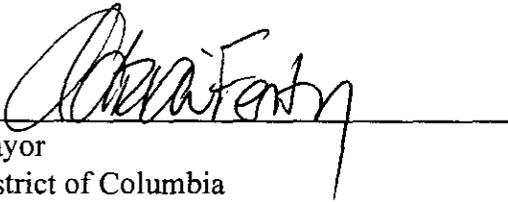
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-65

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend, on a temporary basis, Chapter 46 of Title 47 of the District of Columbia Official Code to provide for tax exemptions for the View 14 Project located in Lot 155, Square 2868 in Ward 1.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "View 14 Economic Development Temporary Act of 2009".

Sec. 2. Chapter 46 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-4618. View 14 Project tax exemptions."

(b) A new section 47-4618 is added to read as follows:

"§ 47-4618. View 14 Project tax exemptions.

"(a) For the purposes of this section, the term:

"(1) "Developer" means L2CP, LLC, its successors, affiliates, and assigns.

"(2) "View 14 Project" means the acquisition, development, construction, installation, and equipping, including the financing, refinancing, or reimbursing of costs incurred of the mixed-use, multi-family residential and retail project under construction on the east side of 14th Street, N.W., between Florida Avenue and Belmont Street, to consist of:

"(A) One hundred and eighty-five units of condominium/apartment house use totaling approximately 173,765 square feet of floor area, including a minimum of 6,000 square feet devoted to affordable housing for residents within an income that is no greater than 80% of the metropolitan Washington, D.C. area media income;

"(B) Approximately 13,903 square feet of retail space; and

"(C) A below-grade parking garage.

"(3) "View 14 Property" means the real property, including any improvements constructed thereon, located on Lot 155, Square 2868, as recorded on Page 68 of Book 201 in the Office of the Surveyor for the District of Columbia (or as the land for such lots may be

ENROLLED ORIGINAL

subdivided into a record lot or lots or assessment and taxation lots, condominium lots, air rights lots, or any combination in the future).

“(b)(1) The View 14 Property is hereby exempt from real property taxation under Chapter 8 for 20 consecutive years, 10 years at 100% and a 10% increase in years 11 through 20 until the annual real property taxation equals 100%.

“(2) The View 14 Project shall also be exempt from the District of Columbia sales tax on materials used directly for construction of the View 14 Project, which are incorporated into and become a part of the realty, subject to the provisions of §47-1002, providing for exemption of certain real properties.

“(3) The tax exemptions granted by paragraphs (1) and (2) of this subsection shall not exceed, in the aggregate, \$5.7 million.

“(c) The tax exemptions pursuant to subsection (b) of this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the View 14 Project, the View 14 Property, or the Developer.

“(d) This section shall not prevent or restrict the Developer from utilizing any other tax, development, or other economic incentives available to the View 14 Project, the View 14 Property, or the Developer.

“(e) Nothing in this section shall be construed to limit the owner of the View 14 Property from appealing or contesting its real estate tax assessment.”.

Sec. 3. Applicability.

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

Sec. 4. Fiscal impact statement.

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

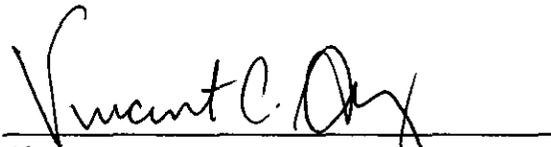
Sec. 5. Effective date.

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

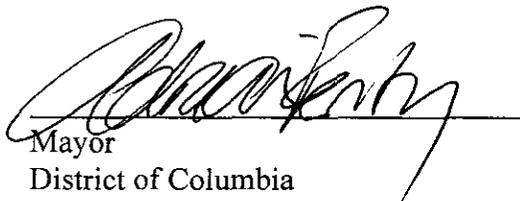
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-66

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
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Publisher

To amend, on a temporary basis, the Smoke Detector Act of 1978 to require apartment building owners to post notice in conspicuous places in common areas in a building instructing tenants on the operation of a building fire alarm; to notify tenants whether the building fire alarm is connected to smoke alarms in individual apartments, or to fire department and emergency medical services; to maintain a fire safety plan and conduct periodic fire drills; and to instruct tenants to immediately call 911 in the event of a fire.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fire Alarm Notice and Tenant Fire Safety Temporary Amendment Act of 2009".

Sec. 2. Section 6 of the Smoke Detector Act of 1978, effective June 20, 1978 (D.C. Law 2-81; D.C. Official Code § 6-751.05), is amended by adding a new subsection (d) to read as follows:

*Note,
§ 6-751.05*

"(d)(1) Within 30 days of the effective date of the Fire Alarm Notice and Tenant Fire Safety Emergency Amendment Act of 2009, passed on emergency basis on March 3, 2009 (Enrolled version of Bill 18-168), and in addition to any existing requirements in law or regulation, an owner of a building containing 2 or more dwelling or rooming units shall provide written notice, in a language delineated by the Language Access Act of 2004, effective June 19, 2004 (D.C. Law 15-167; D.C. Official Code § 2-1931 *et seq.*), as necessary, to each tenant by first class mail, and post notice in conspicuous places in common areas of the building, as required in this subsection. Written notice shall also be provided to each new tenant, as required in this subsection. The Mayor shall provide a sample form of the notice required by this subsection.

"(2) The written notice shall include, at a minimum, instructions on the operation of a building fire alarm, whether this alarm is separate from the smoke alarms in individual apartments, and a statement that the building alarm is not necessarily connected to the fire department or emergency rescue, and that, in the event of a fire, they must be contacted immediately by calling 911.

ENROLLED ORIGINAL

“(3) Failure to post notice as required by this subsection shall be a violation of this act, and subject to penalties as provided in this act.

“(4) In addition to the notice required by this subsection, the owner, or the owner’s agent, shall maintain a fire safety plan and conduct fire drills in each building that is subject to the provisions of this subsection, and contains 5 or more units, at least once every 12 months.”.

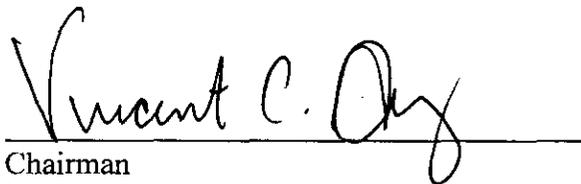
Sec. 3. Fiscal impact statement.

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

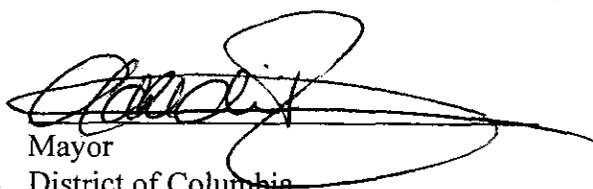
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-67

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 29, 2009

*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.

West Group
Publisher

To amend, on a temporary basis, the Rental Housing Conversion and Sale Act of 1980 to clarify that hand delivery or sending by certified mail a tenant’s letter of interest preserves the tenant’s or tenant group’s opportunity to purchase rights under the act, and that actual receipt of the letter by the housing provider or the Mayor within the relevant time frame is not required.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Tenant Opportunity to Purchase Preservation Clarification Temporary Amendment Act of 2009”.

Sec. 2. The Rental Housing Conversion and Sale Act of 1980, effective September 10, 1980 (D.C. Law 3-86; D.C. Official Code § 42-3401.01 *et seq.*), is amended as follows:

(a) Section 409(1) (D.C. Official Code § 42-3404.09(1)) is amended by striking the phrase “and the Mayor” and inserting the phrase “and the Mayor, by hand or by sending by certified mail” in its place.

Note,
§ 42-3404.09

(b) Section 410(1) (D.C. Official Code § 42-3404.10(1)) is amended by striking the phrase “and the Mayor” and inserting the phrase “and the Mayor, by hand or by sending by certified mail” in its place.

Note,
§ 42-3404.10

(c) Section 411(1) (D.C. Official Code § 42-3404.11(1)) is amended by striking the phrase “first class” wherever it appears and inserting the word “certified” in its place.

Note,
§ 42-3404.11

Sec. 3. Fiscal impact statement.

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

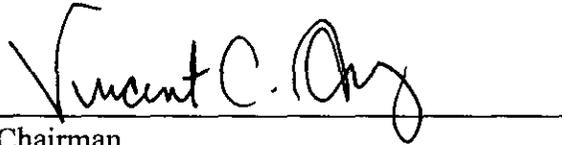
Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review

ENROLLED ORIGINAL

as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia

~~UNSIGN~~

Mayor
District of Columbia
April 27, 2009

ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-68

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009*Codification
District of
Columbia
Official Code*

2001 Edition

2009 Summer
Supp.West Group
Publisher

To amend, on a temporary basis, the District of Columbia Unemployment Compensation Act to qualify the District for federal funding of extended unemployment compensation benefits.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Unemployment Compensation Extended Benefits Temporary Amendment Act of 2009".

Sec. 2. Section 7(g)(1) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 949; D.C. Official Code § 51-107(g)(1)), is amended by adding new subparagraphs (K) and (L) to read as follows:

*Note,
§ 51-107*

"(K)(i) For weeks of unemployment commencing March 15, 2009, there is a state "on" indicator if:

"(I) The average rate of total unemployment (seasonally adjusted), as determined by the United States Secretary of Labor, for the period consisting of the 3 most recent months for which data for all states are published before the close of any such week equals or exceeds 6.5%; and

"(II) The average rate of total unemployment in the District (seasonally adjusted), as determined by the United States Secretary of Labor, for the 3 months referred to in sub-sub-subparagraph (I) of this sub-subparagraph equals or exceeds 110% of such average rate for either of the corresponding 3-month periods ending in the 2 preceding calendar years.

"(ii) There is a state "off" indicator pursuant to this subparagraph for weeks of unemployment commencing December 6, 2009, or such other week as the Congress may specify in any subsequent amendment to section 2005 of the Assistance for Unemployed Workers and Struggling Families Act of 2009, approved February 17, 2009 (Pub. L. No. 111-5; 123 Stat. 436).

"(L)(i) For weeks of unemployment commencing March 15, 2009, there is a state high unemployment period "on" indicator if the total unemployment insurance rate as established in subparagraph (K) of this paragraph equals or exceeds 8%.

"(ii) Notwithstanding the provisions of paragraph (5)(A) of this

ENROLLED ORIGINAL

subsection, the total unemployment extended benefit amount payable to any individual pursuant to this subparagraph shall be the least of the following amounts:

“(I) Eighty percent of the total amount of regular benefits (including any applicable dependents’ allowance) that were payable to the individual under this act in the individual’s applicable benefit year;

“(II) Twenty times the individual’s weekly benefit amount (including any applicable dependents’ allowance) that was payable to the individual under this act for a week of total unemployment in the applicable benefit year; or

“(III) Forty-six times the individual’s weekly benefit amount (including any applicable dependents’ allowances) for a week of total unemployment in the applicable benefit year, reduced by the total amount of regular benefits that were paid (or deemed paid) to the individual under this act with respect to the benefit year.

“(iii) There is a state “off” indicator pursuant to this subparagraph for weeks of unemployment commencing December 6, 2009, or such other week as the Congress may specify in any subsequent amendment to section 2005 of the Assistance for Unemployed Workers and Struggling Families Act of 2009, approved February 17, 2009 (Pub. L. No. 111-5; 123 Stat. 436).”.

Sec. 3. Fiscal impact statement.

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

Sec. 4. Effective date.

(a) This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), a 30-day period of Congressional review as provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of Columbia Register.

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



Chairman
Council of the District of Columbia



Mayor

District of Columbia

APPROVED

April 27, 2009

Compilation District of Columbia Official Code, 2001 Edition

ENROLLED ORIGINAL

AN ACT
D.C. ACT 18-69

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

APRIL 27, 2009

To amend, on a temporary basis, the Fiscal Year 2009 Budget Support Act of 2008 to replace the fiscal agent for the Woodland Tigers Youth Sports grantee.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Woodland Tigers Funding Clarification Temporary Amendment Act of 2009”.

Sec. 2. Section 8002(c)(1)(B) of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7598), is amended by striking the phrase “Anacostia Community Outreach Center” and inserting the phrase “East of the River Clergy, Police & Community Partnership” in its place.

Sec. 3. Fiscal impact statement.

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

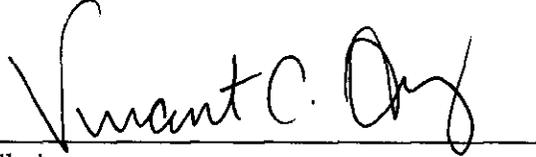
Sec. 4. Effective date.

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

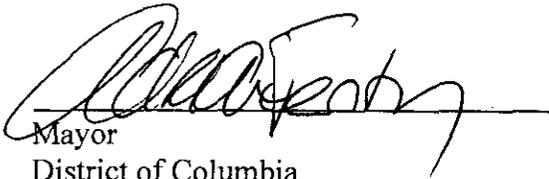
ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
April 27, 2009