

ENROLLED ORIGINAL

TABLE OF CONTENTS
FISCAL YEAR 2010 BUDGET SUPPORT SECOND EMERGENCY ACT OF 2009

TITLE I. GOVERNMENT DIRECTION AND SUPPORT 12
SUBTITLE A. ONE CARD SERVICE SUPPORT 12
SUBTITLE B. UNEMPLOYMENT COMPENSATION MODERNIZATION 13
SUBTITLE C. OFFICE OF DOCUMENTS PERSONNEL 13
SUBTITLE D. TELECOMMUNICATION ACCOUNTABILITY 13
SUBTITLE E. SMART LIGHTING STUDY 14
SUBTITLE F. ELECTION REFORM FUND ESTABLISHMENT
AMENDMENT ACT 15
SUBTITLE G. ELECTRONIC SIGNATURES 15
SUBTITLE H. SUMMER YOUTH EMPLOYMENT 15
SUBTITLE I. LEGISLATIVE BRANCH BUDGET SUBMISSION 16
SUBTITLE J. CRITERIA FOR COUNCIL REVIEW OF CONTRACT
OPTION CLARIFICATION AMENDMENT 16
SUBTITLE K. INDEPENDENCE OF LEGISLATIVE BRANCH
INFORMATION AND PERSONNEL 17
SUBTITLE L. ENERGY REDUCTION PLAN 18
SUBTITLE M. REPROGRAMMING AND GRANTS CLARIFICATION 19
SUBTITLE N. REPROGRAMMING POLICY AMENDMENT 19
SUBTITLE O. CAPITAL IMPROVEMENT FUNDING 20
SUBTITLE P. INTERN ANTI-DISCRIMINATION ACT 21
SUBTITLE Q. REALLOCATION OF SPECIFIC CAPITAL BUDGET
FUNDING 21
SUBTITLE R. DISTRICT OF COLUMBIA WATER AND SEWER
AUTHORITY GRANT CLARIFICATION 24
SUBTITLE S. EFFICIENT PROCUREMENT PRACTICE 24
SUBTITLE T. TRANSPORTATION CAPITAL PROJECTS
REQUIREMENTS 25
SUBTITLE U. POST-EMPLOYMENT BENEFITS 25
SUBTITLE V. OLD NAVAL HOSPITAL GRANT 28
SUBTITLE W. CHANGE IN USE OF CERTAIN PROPERTIES FORMERLY
TITLED IN THE UNITED STATES GOVERNMENT 28
SUBTITLE X. DDOE FINE ENHANCEMENT 29
SUBTITLE Y. RETAIL SERVICE STATION TRANSFER TAX 29
SUBTITLE Z. EMPLOYEE PARKING PROGRAM FUND 29

ENROLLED ORIGINAL

SUBTITLE AA. CAPITAL PROJECT SUPPORT FUND ..... 30

SUBTITLE BB. LOBBYING REGISTRATION FEE ..... 32

SUBTITLE CC. BONUS PAY RESTRICTION ..... 32

SUBTITLE DD. DCPL CAPITAL PROJECT FUND DESIGNATION..... 33

SUBTITLE EE. PURCHASE OF 225 VIRGINIA AVENUE, S.E. .... 33

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION ..... 34

    SUBTITLE A. PROACTIVE ABATEMENT OF NUISANCE PROPERTIES 34

    SUBTITLE B. EXPEDITED ADVISORY NEIGHBORHOOD  
        COMMISSIONS NOTIFICATION ..... 34

    SUBTITLE C. ZONING ENHANCED CUSTOMER SERVICES ..... 35

    SUBTITLE D. DISTRICT OF COLUMBIA SURVEYOR AND SPECIAL  
        REVIEW REQUESTS ENHANCED CUSTOMER SERVICES ..... 36

    SUBTITLE E. BUSINESS LICENSING NOTICE AND COMPLIANCE .... 37

    SUBTITLE F. COMMUNITY DEVELOPMENT BLOCK GRANT  
        ACCOUNTING CORRECTION ..... 41

    SUBTITLE G. NEIGHBORHOOD INVESTMENT FUND  
        IMPLEMENTATION PLAN ..... 42

    SUBTITLE H. FINANCIAL INCENTIVES FOR MOTION PICTURE AND  
        TELEVISION PRODUCTIONS ..... 44

    SUBTITLE I. WASHINGTON CONVENTION CENTER AUTHORITY  
        AND SPORTS AND ENTERTAINMENT COMMISSION MERGER .50

    SUBTITLE J. SOUTHWEST WATERFRONT REDEVELOPMENT TIMING63

    SUBTITLE K. HOUSING PRODUCTION TRUST FUND ..... 64

    SUBTITLE L. HOUSING ASSISTANCE PAYMENT ..... 64

    SUBTITLE M. TARGETED HOMEOWNER GRANT PROGRAM  
        FUNDING ..... 65

    SUBTITLE N. RENTAL UNIT FEE AMENDMENT ..... 65

    SUBTITLE O. ABATEMENT OF NUISANCE PROPERTY FUND ..... 66

    SUBTITLE P. ELEVATOR MAINTENANCE STANDARDS AND  
        LICENSING ..... 66

    SUBTITLE Q. ADVANCED METERING INFRASTRUCTURE  
        IMPLEMENTATION AND COST RECOVERY AUTHORIZATION .69

    SUBTITLE R. GET DC RESIDENTS TRAINING FOR JOBS NOW ..... 71

    SUBTITLE S. RENTAL HOUSING COMMISSION ..... 72

    SUBTITLE T. IMPLEMENTATION OF ECONOMIC DEVELOPMENT  
        CAPITAL FUNDS ..... 73

    SUBTITLE U. THE DEPUTY MAYOR FOR PLANNING AND  
        ECONOMIC DEVELOPMENT REDUCTION IN FORCE ..... 74

ENROLLED ORIGINAL

SUBTITLE V. BUSINESS IMPROVEMENT DISTRICT LITTER CLEANUP ASSISTANCE ..... 74

SUBTITLE W. DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT AMENDMENT ACT ..... 75

SUBTITLE X. SMALL BUSINESS MICRO LOAN FUND ACT ..... 79

SUBTITLE Y. LOCAL RENT SUPPLEMENT ..... 79

SUBTITLE Z. NEW COMMUNITIES FINANCIAL ASSISTANCE..... 80

SUBTITLE AA. DEPARTMENT OF EMPLOYMENT SERVICES ADULT TRAINING FUNDING..... 80

TITLE III. PUBLIC SAFETY AND JUSTICE..... 81

    SUBTITLE A. CONSUMER PROTECTION FUNDS ACT ..... 81

    SUBTITLE B. E-911 AND CONSUMER PROTECTION FUND AMENDMENT ACT ..... 82

    SUBTITLE C. FEMS AND DOC HEADQUARTERS ACT ..... 83

    SUBTITLE D. OFFICE OF ADMINISTRATIVE HEARINGS MAILING CERTIFICATION ..... 84

    SUBTITLE E. OFFICE OF JUSTICE GRANTS ADMINISTRATION GRANTS ..... 84

    SUBTITLE F. DC JAILS FACILITY CONDITION ASSESSMENT ..... 85

    SUBTITLE G. GOOD TIME CREDITS ACT ..... 85

TITLE IV. PUBLIC EDUCATION SYSTEM ..... 86

    SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS ..... 86

    SUBTITLE B. CHARTER SCHOOL FACILITIES ALLOTMENT ..... 91

    SUBTITLE C. CHARTER SCHOOL FACILITIES ALLOTMENT TASK FORCE ..... 91

    SUBTITLE D. STATE BOARD OF EDUCATION ..... 93

    SUBTITLE E. DCPL PROCUREMENT AUTHORITY ..... 93

    SUBTITLE F. DEPARTMENT OF EDUCATION TECHNICAL AMENDMENTS ..... 94

    SUBTITLE G. STATEWIDE COMMISSION ON CHILDREN, YOUTH, AND THEIR FAMILIES ..... 96

    SUBTITLE H. MASTER FACILITIES PLAN AND SCHOOL FACILITY CIP ..... 98

    SUBTITLE I. RESERVE FOR AFRICAN-AMERICAN CIVIL WAR RECORDS ACT ..... 100

ENROLLED ORIGINAL

SUBTITLE J. UNIVERSITY OF THE DISTRICT OF COLUMBIA  
EXPANSION ..... 101

SUBTITLE K. OFFICE OF PUBLIC EDUCATION FACILITIES  
MODERNIZATION FUNDING ..... 101

SUBTITLE L. ACCURACY IN ENROLLMENT PROJECTIONS ..... 103

SUBTITLE M. PRE-KINDERGARTEN COMMUNITY-BASED  
ORGANIZATION SUPPORT ..... 104

SUBTITLE N. SLATER SCHOOL ..... 104

SUBTITLE O. UDC CAPITAL BUDGET AUTHORITY AND FUNDING  
TRANSFER ..... 104

SUBTITLE P. DISTRICT OF COLUMBIA PUBLIC SCHOOLS REALTY  
OFFICE TRANSFER TO THE OFFICE OF PUBLIC EDUCATION  
FACILITIES MODERNIZATION ..... 105

SUBTITLE Q. CARNEGIE LIBRARY EXHIBITS ..... 105

SUBTITLE R. CHILD CARE SERVICES ..... 105

TITLE V. HUMAN SUPPORT SERVICES ..... 106

SUBTITLE A. GRANDPARENT CAREGIVERS EXTENSION  
PROGRAM ..... 106

SUBTITLE B. DEPARTMENT OF HEALTH GRANT AUTHORITY ..... 106

SUBTITLE C. EFFI SLAUGHTER BARRY HIV/AIDS INITIATIVE ..... 107

SUBTITLE D. MEDICAL ASSISTANCE PROGRAM ..... 107

SUBTITLE E. CONTINUATION OF HEALTH COVERAGE ..... 108

SUBTITLE F. REPORTING REQUIREMENTS HUMAN SERVICES ..... 109

SUBTITLE G. GRANTS TO CYITC REQUIREMENTS ..... 109

SUBTITLE H. DEPARTMENT ON DISABILITY SERVICES REPORTING,  
WAITING LIST, AND ASSESSMENT REQUIREMENTS ..... 110

SUBTITLE I. CATEGORICAL ELIGIBILITY ..... 112

SUBTITLE J. DEPARTMENT OF PARKS AND RECREATION  
ENTERPRISE FUND PURCHASE AUTHORIZATION ..... 113

SUBTITLE K. COMMUNITY HEALTH PROGRAM SUPPORT ..... 113

SUBTITLE L. HEALTH PROFESSIONAL LOAN REPAYMENT  
PROGRAM ..... 114

SUBTITLE M. FIXED COSTS ALLOCATIONS ..... 114

SUBTITLE N. HEALTHY DC FUND AMENDMENT ..... 115

SUBTITLE O. DESIGNATED ALLOCATIONS ..... 115

SUBTITLE P. CHILD AND FAMILY SERVICES TRANSPORTATION  
FUND ..... 116

SUBTITLE Q. UNITED MEDICAL CENTER REPAYMENT ..... 117

ENROLLED ORIGINAL

SUBTITLE R. TANF AMENDMENT ..... 117

SUBTITLE S. CFSA RAPID HOUSING ASSISTANCE ACT ..... 118

TITLE VI. PUBLIC WORKS ..... 119

    SUBTITLE A. DRIVER EDUCATION PROGRAM AND FLEET  
        PROGRAM ..... 119

    SUBTITLE B. VEHICLE INSPECTION IMPROVEMENT ..... 120

    SUBTITLE C. EQUITABLE PARKING METER RATES ..... 123

    SUBTITLE D. DISTRICT DEPARTMENT OF TRANSPORTATION  
        ESTABLISHMENT ..... 124

    SUBTITLE E. D.C. TAXICAB COMMISSION SPECIAL ACCOUNT .... 125

    SUBTITLE F. DISTRICT OF COLUMBIA TAXICAB LICENSE FEE. .... 125

    SUBTITLE G. PEDESTRIAN ADVISORY COUNCIL ..... 127

    SUBTITLE H. WMATA FUND AMENDMENT ..... 128

    SUBTITLE I. COST DRIVEN RE-FORMULATION OF THE DISTRICT  
        DEPARTMENT OF TRANSPORTATION BUDGET FOR FISCAL  
        YEAR 2011 ..... 129

    SUBTITLE J. ANACOSTIA COMMUNITY BOATHOUSE  
        ASSOCIATION RELOCATION ..... 130

    SUBTITLE K. TOUR BUS FEES ..... 130

TITLE VII. FINANCE AND REVENUE ..... 130

    SUBTITLE A. BUDGET FINANCING CONTINGENCIES ..... 130

    SUBTITLE B. SALES TAX APPLICABILITY ..... 134

    SUBTITLE C. FISCAL YEAR 2010 EXPENDITURE OF CERTAIN  
        DEDICATED TAXES ..... 135

    SUBTITLE D. SCHOOL MODERNIZATION FINANCING ..... 135

    SUBTITLE E. REAL PROPERTY FAIRNESS ..... 136

    SUBTITLE F. DISALLOWANCE OF CERTAIN EXPENSES PAID TO  
        RELATED PARTIES ..... 137

    SUBTITLE G. ECONOMIC INTERESTS IN REAL PROPERTY  
        CLARIFICATION ..... 140

    SUBTITLE H. REAL PROPERTY TAX REFORM ..... 141

    SUBTITLE I. TAX COMPLIANCE ..... 145

    SUBTITLE J. RECOVERY ACT TAX DEDUCTION DECOUPLING ..... 146

    SUBTITLE K. THE NON-INDIVIDUAL INCOME TAX ELECTRONIC  
        FILING ACT OF 2009 ..... 147

    SUBTITLE L. BUILDING BRIDGES ACROSS THE RIVER TAX  
        EXEMPTION ..... 147

ENROLLED ORIGINAL

SUBTITLE M. FORT CHAPLIN PARK SOUTH CONGREGATION OF  
JEHOVAH’S WITNESSES, INC. TAX RELIEF ACT ..... 148

SUBTITLE N. URBAN INSTITUTE REAL PROPERTY TAX  
ABATEMENT ACT ..... 148

SUBTITLE O. RANDALL SCHOOL DEVELOPMENT TAX  
ABATEMENT ACT ..... 149

SUBTITLE P. CAPITAL GRANT AUTHORITY REPEAL ..... 150

SUBTITLE Q. 14W AND THE YMCA ANTHONY BOWEN PROJECT  
REAL PROPERTY TAX EXEMPTION AND REAL PROPERTY  
TAX RELIEF ACT OF 2009 ..... 150

SUBTITLE R. VIEW 14 PROJECT ECONOMIC DEVELOPMENT ACT  
OF 2009 ..... 151

SUBTITLE S. LIMITATION ON BORROWING TECHNICAL  
AMENDMENTS ..... 152

SUBTITLE T. GOD OF SECOND CHANCE TAX RELIEF ACT ..... 154

SUBTITLE U. COMBINED REPORTING REFORM ACT ..... 155

SUBTITLE V. REVENUE ENHANCEMENT ACT ..... 155

TITLE VIII. O-TYPE TRANSFERS AND CAPITAL PROJECT REVISIONS ..... 158

    SUBTITLE A. FISCAL YEAR 2009 TRANSFER OF O-TYPE REVENUE .158

    SUBTITLE B. RESCISSION AND MODIFICATION OF FISCAL YEAR  
    2009 CAPITAL PROJECT FUNDING ..... 161

    SUBTITLE C. FISCAL YEAR 2010 TRANSFER OF O-TYPE REVENUE .163

    SUBTITLE D. FINANCIAL PLAN TRANSFER OF O-TYPE REVENUE .. 165

TITLE IX. COMMITTEE REPORTS ..... 166

TITLE X. REPEALER; APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE 167

## ENROLLED ORIGINAL

AN ACT

D.C. ACT 18-207

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

OCTOBER 15, 2009

To establish, on an emergency basis, a replacement fee of \$5 for DC One Cards; to amend the District of Columbia Unemployment Compensation Act to continue the current administrative assessment through the end of 2013; to amend the District of Columbia Documents Act of 1978 to remove minimum staffing and salary requirements within the Office of Documents; to amend the Office of Chief Technology Officer Establishment Act of 1998 to authorize the Office of the Chief Technology to require District agencies to re-certify their telecommunications inventory and to de-certify or disconnect unused landlines, wireless phone lines, and data circuits assigned to District agencies; to require the District Department of the Environment to study strategies and standards for optimal lighting methods and levels in the District; to amend An Act To regulate the election of delegates representing the District of Columbia to national political conventions, and for other purposes to establish the Election Reform Fund for the purpose of funding legislative reform initiatives in the District's elections processes and procedures; to amend the District of Columbia Finance Reform and Conflict of Interest Act of 1974 to permit the Director of the Office of Campaign Finance to accept electronic signatures; to amend the Youth Employment Act of 1979 to limit the summer youth employment program to 21,000 participants annually, set the duration of the program at 6 weeks and establish a set registration period from January 2<sup>nd</sup> to April 1<sup>st</sup> each year; to amend chapter 3 of Title 47 of the District of Columbia Official Code to provide that the Council Chairman shall submit to the Mayor the annual budget estimates for the Council, the Office of the District of Columbia Auditor, and the Office of the Advisory Neighborhood Commissions, and to require the Mayor to transmit those budget requests along with his recommendation in his annual budget request; to amend the District of Columbia Procurement Practices Act of 1985 to clarify that contracts previously approved by the Council that contain options must be re-submitted for Council approval of the option before the option may be exercised; to amend the Council of the District of Columbia Independence Act of 1982 to exempt the wire, electronic, and oral communications of the Office of the District of Columbia Auditor and the Council of the District of Columbia from the oversight, interception, and monitoring by the Office of the Chief Technology

## ENROLLED ORIGINAL

Officer or any other District government executive branch official, and to provide that a legislative branch agency may acquire, use, and manage, independent of the executive branch, information systems; to amend the Office of the Chief Technology Officer Establishment Act of 1998 to clarify that the Office of the Chief Technology Office and executive branch officials have no authority to monitor or intercept legislative branch communications; to amend the District of Columbia Government Comprehensive Merit Personnel Act to provide that the Chairman of the Council shall have personnel authority over employees of the Council; to require the Mayor to develop an energy reduction plan for all District agencies; to amend chapter 3 of Title 47 of the District of Columbia Official Code to provide that any funds of \$500,000 or more transferred from an agency without grant-making authority to an agency with grant-making authority shall be transferred through a reprogramming, and to provide that an agency with grant-making authority is authorized to issue grants only from funds appropriated or reprogrammed to that agency; to amend chapter 3 of Title 47 of the District of Columbia Official Code to make an adjustment to the reprogramming threshold for capital projects and to clarify actions requiring reprogramming and methods of reporting all reprogrammings; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to require the Mayor to submit to the Council specified information pertaining to capital projects of \$1 million or more for Council approval, and to require the Chief Financial Officer to submit to the Council an unaudited report before December 15 of each year on the expenditure of all pooled funds with a value of less than \$1 million and a comprehensive final report for all major capital projects and all minor capital projects in the prior fiscal year by February 1; to amend the Human Rights Act of 1977 to expand the definition of employees to include unpaid interns; to reallocate certain capital funds; to require the Deputy Mayor for Economic Development and the District of Columbia Water and Sewer Authority to execute a memorandum of understanding in regard to fire protection services for residences in the 2600 block of Klinge Road; to amend the District of Columbia Procurement Practices Act of 1985 to add the Purchase Card Program to the nonlapsing fund established for the District of Columbia Supply Schedule; to amend the District of Columbia Procurement Practices Act of 1985 to exempt from statutory approval the annual capital improvement plan and budget for the Highway Trust Fund unless it is submitted to the Council in the format and detail required by the fiscal year 2010 budget; to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to modify post-employment health and life insurance benefits for persons first employed by the District government after September 30, 1987 who are covered under the District Retirement Benefits Program and retire under that program; to amend the Office of Property Management Establishment Act of 1998 to authorize the Office of Property Management to make a grant not to exceed \$5.5 million to the Old Naval Hospital Foundation for the purpose of renovating and making improvements to the Old

## ENROLLED ORIGINAL

Naval Hospital, Carriage House, and adjacent grounds; to require legal authorization for certain changes in use of properties requested to be conveyed from the United States to the District; to amend Title 16 of the District of Columbia Municipal Regulations to increase certain environmental fines; to amend section 47-903 of the District of Columbia Code to increase the transfer tax for retail service stations; to amend the Office of Property Management Establishment Act of 1998 to require the increase of employee parking rates; to establish the Capital Project Support Fund to be used to provide funding for qualified capital projects, within which shall be established 2 the Bond Account and the Non-Bond Account; to amend the District of Columbia Finance Reform and Conflict of Interest Act, approved August 14, 1974 to establish fees for lobbying; to provide that no funds shall be used to support the categories of special pay or bonus pay in fiscal year 2010; to provide that capital funds for the District of Columbia Public Libraries to be separated by individual library projects with available balances for each project; to approve the purchase and disposition of 225 Virginia Avenue; to amend Title 14 of the District of Columbia Municipal Regulations to change the fee schedule for charging the administrative cost of the fund for the abatement of nuisances and establish a fee to cover proactive inspection costs of the Department of Consumer and Regulatory Affairs; to amend the Advisory Neighborhood Commission Act of 1975 to provide to each Advisory Neighborhood Commission at least twice a month by electronic mail a current list of applications for construction, demolition, and public space permits within the boundaries of their Advisory Neighborhood Commission, and to establish a fee to recover the cost of preparing and issuing zoning compliance letters to bring the District into conformity with surrounding jurisdictions; to amend the Construction Codes Approval and Amendments Act of 1986 to provide that funds of Construction and Zoning Compliance Management Fund shall be used to pay for enhanced customer service delivery; to amend An Act To establish a code of law for the District of Columbia to establish a schedule of fees, to establish an Enhanced Surveyor Function Fund, to provide that all fees collected by the Office of the Surveyor be deposited in the Fund, to provide that all revenue credited to the fund be used for upgrading the surveying systems and enhancing customer service, and to revise the schedule of fees collected by the Office of the Surveyor; to amend Chapter 28 of Title 47 of the District of Columbia Code to modify business license processing by transferring 50% of civil infractions fines to the Basic Business License Fund, to place responsibility for renewing basic business licenses on owners, and to assess late fees on lapsed basic business licenses; to amend the District of Columbia Business Corporation Act to provide expedited services for a fee; to amend the District of Columbia Nonprofit Corporation Act to establish expedited service fees; to amend the District of Columbia Cooperative Association Act to authorize expedited service fees; to amend the Limited Liability Company Act of 1994 to establish expedited service fees; to amend the Uniform Partnership Act of 1996 to establish expedited service fees; to amend the Uniform

## ENROLLED ORIGINAL

Limited Partnership Act of 1987 to establish expedited services fees; to amend the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008 to eliminate the requirement that revenues from the Office of the Deputy Mayor for Planning and Economic Development assets that are encumbered by requirements of the federal Community Development Block Grant program be held in a segregated account within the Department of Housing and Community Development budget and to require that the funds be held in a segregated account within the budget for the Office of the Deputy Mayor for Planning and Economic Development, to require the Office of the Deputy Mayor for Planning and Economic Development to submit to the Council a spending plan for all expenditures from Community Development Block Grant funds within its budget authority, and to require that the Office of the Deputy Mayor for Planning and Economic Development provide quarterly financial reports on Community Development Block Grant funds within its budget authority; to amend the Neighborhood Investment Act of 2004 to clarify that the NIF program shall not expire after 5 years, to reallocate Neighborhood Investment Fund dollars with the budget authority of the Office of the Deputy Mayor for Planning and Economic Development, to establish the Get D.C. Residents Training for Jobs Now Career Technical Training Fund, and to establish the Fiscal Year 2010 NIF fund; to amend the Film DC Economic Incentive Act of 2006 to reallocate Neighborhood Investment Fund dollars to provide financial incentives to motion picture and television productions located in the District; to amend the Washington Convention Center Authority Act of 1994 to merge the Washington Convention Center Authority and the District of Columbia Sports and Entertainment Commission; to establish the earliest date by which the closing on the conveyance of the Southwest Waterfront Properties may occur; to amend the Housing Production Trust Fund Act of 1988 to increase the percentage of funds allocated for the administration of the Housing Production Trust Fund to not to exceed in a fiscal year 10% of the funds deposited into the fund; to amend the Rental Housing Conversion and Sale Act of 1980 to add the Department of Housing and Community Development as an administrator of the Housing Assistance Fund; to amend the Historic Landmark and Historic District Protection Act of 1978 to repeal the sunset of the authorization to expend appropriated funds for the Targeted Homeowner Grant program; to amend the Rental Housing Act of 1985 to increase the fee housing providers pay into the fund and to establish the Office of the Chief Tenant Advocate Rental Accommodations Fee Fund; to amend An Act To provide for an abatement of nuisances in the District of Columbia for the Commissioners of said District, and for other purposes to permit donations or restitution into the fund by private individuals and from recoveries from enforcement action by the Office of Attorney General for the abatement of property violations; to amend Chapter 28 of Title 47 of the District of Columbia Official Code to require licensing for elevator repair, maintenance, alteration, and installation, to authorize the promulgation of rules, and to

## ENROLLED ORIGINAL

establish fees; to authorize the electric company to implement advanced metering infrastructure, to authorize the electric company to establish a regulatory asset for the costs, including depreciation and amortization expense, to reserve the ability of the Public Service Commission to review the prudence of actual expenditures made by the electric company, to obligate the electric company to demonstrate that its costs are prudently incurred, and to require the electric company to net any utility cost savings resulting from advanced metering infrastructure deployment from the cost recovery sought each year; to require the Mayor to establish evening, weekend, and summer adult career technical training for industry certification for District residents at the Phelps Architecture, Construction, and Engineering High School, at the Academy of Construction and Design at Cardozo Senior High School, and at the Hospitality Public Charter School at Roosevelt High School in partnership with existing career technical education programs; to amend the Department of Housing and Community Development United Fund Establishment Act of 2008 to authorize a one-time payment from the Department of Housing and Community Development's Unified Fund to pay for enhancements for the Rental Housing Commission and to provide funding to support the housing needs of veterans; to allocate \$1.5 million from the Office of the Deputy Mayor for Planning and Economic Development's capital budget to the O Street Market project, to provide that \$2.235 million in capital funds be utilized to support the Pennsylvania Avenue S.E. Great Streets project, and to provide criteria for Great Street projects to receive economic development capital funds; to require the Mayor to implement a specified reduction in force for the Office of the Deputy Mayor for Planning and Economic Development, and to require that the savings realized from the reduction in force be transferred from the Economic Development Special Fund to the General Fund; to amend the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007 to add a reference to Ward 4 BID Demonstration Project; to amend the Compliance Unit Establishment Act of 2008 to expand the duties, responsibilities and reporting requirements of the Compliance Unit; to amend the Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2007 to eliminate certain responsibilities from the Commission, to authorize the District of Columbia Auditor to review certain documents, to change the subcontracting requirements, to change the requirement of a disadvantaged business enterprise, to reduce the points allotted to a long-time resident business enterprise, and to conform certain duties, responsibilities, and reporting requirements of the agencies and the Department, to authorize the District of Columbia Auditor to enforce violations, to authorize the Director to assess penalties for violations, to establish reporting requirements for certain contractors, and to amend the standard for assessing certain penalties; to amend the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2005 to document the dollar amount actually expended with local, small, and disadvantaged business enterprises in construction and

## ENROLLED ORIGINAL

developments with certified business enterprises in development projects as equity partners, and for contracting and procurement of goods and services; to amend the Small, Local, and Disadvantaged Business enterprise Development and Assistance Act of 2007 to amend the Small Business Micro Loan Fund to expand the uses for the funds to include a grant of local funds to provide operating support to a newly formed business association in Ward 3; to amend the District of Columbia Housing Authority Act of 1999 to require the Authority to allocate certain funds toward project-based and sponsor-based voucher assistance, and to allocate funds remaining in the Rent Supplement Fund at the end of any fiscal year that are not needed by the Authority; to amend the Economic Development Liaison Office Establishment Act of 1998 to authorize grants and loans in support of New Communities projects; to require the Department of Consumer and Regulatory Affairs to define nuisance properties and create a fee schedule; to require that the Department of Employment Services expend no more than 5% of the budgeted amount approved for adult training for administration, that the remaining funding be used to support training for current and emerging jobs, and that funding opportunities be open to a broad range of providers, and to require Department of Employment Services to issue a report on the utilization of funds; to amend section 28-3911 of the District of Columbia Official Code to establish an additional revenue source for the District of Columbia Consumer Protection Fund, to increase the maximum amount that may be contained in the fund, and to provide clarifying language; to amend the Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000 to restrict in fiscal year 2010 the use of funds in the Emergency and Non-Emergency Number Telephone Calling Systems Fund to defraying technology and equipment costs directly incurred by the District of Columbia and its agencies and instrumentalities in providing a 911 system, and direct costs incurred by wireless carriers in providing wireless E-911 service; to prevent the proposed relocation of the headquarters of the Fire and Emergency Medical Services Department and the headquarters of the Department of Corrections to the Patricia R. Harris Education Center; to amend the Rental Housing Act of 1985 to provide that the Rent Administrator's mailings shall be sent by first-class mail; to allocate funds for specified grants and criteria from the Office of Justice Grants Administration; to require a District of Columbia Jail facility assessment; to amend the District of Columbia Good Time Credits Act of 1986 to ensure that all incarcerated individuals are provided the incentive and opportunity to earn good time credits for education and meritorious behavior for participation in programs by eliminating the requirement for completion of an entire course; to amend the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998 to establish funding levels and per-student weightings for the FY 2010 Uniform Per Student Funding Formula and to clarify that local educational agencies receiving formula funds shall comply with state-level regulations and standards; to amend the Uniform Per Student Funding Formula for Public Schools

## ENROLLED ORIGINAL

and Public Charter Schools Act of 1998 to establish a funding amount for the charter school facilities allotment; to establish a task force to analyze the public charter schools facilities allotment; to repeal section 3(b)(14) of the State Education Office Establishment Act of 2000; to amend section 403 of the State Board of Education Establishment Act of 2007 to authorize the Mayor to structure the State Board of Education's organizational structure; to amend An Act To establish and provide for the maintenance of a free public library and reading room in the District of Columbia to grant the Board of Library Trustees the authority to procure goods and services independent of the Office of Contracting and Procurement; to amend the District of Columbia Procurement Practices Act of 1985 to clarify the Board of Library Trustees' authority regarding contract protests, appeals, and claims arising from procurements of the Board of Library Trustees; to amend the Department of Education Establishment Act of 2007 to require the Deputy Mayor for Education to submit a statewide strategic education and youth development framework plan to the Council for approval; to amend the Interagency Collaboration and Services Integration Establishment Act of 2007 to rename the Interagency Collaboration and Services Integration Commission as the Statewide Commission on Children, Youth, and their Families; to amend section 1104 of the School Based Budgeting and Accountability Act of 1998 to change the date for submission of the Master Facilities Plan and Capital Improvement Plan to coincide with the budget timeline; to allocate capital funds from pooled capital funds within the Office of Property Management for the African-American Civil War Museum; to authorize the University of the District of Columbia to have exclusive use of the closed Bertie Backus Middle School Building; to authorize revised allocation for projects from funds previously authorized but not allocated in the Fiscal Year 2009 Proposed Financial Plan and Budget; to establish a working group to develop a uniform method of projecting student enrollment; to provide that \$2.4 million in local funds in the Office of the State Superintendent of Education be used for increasing pre-k slots in community-based organizations; to provide that Associates for renewal of Education, Inc. be offered the right of first offer on a disposition of Slater School and be permitted to remain in occupancy and to make necessary repairs during the leasing preference procedure; to authorize that capital projects shall be the responsibility of the University of the District of Columbia; to transfer all functions, authority, programs, positions, personnel, property, records, and funds of the District of Columbia Public Schools Realty Office to the Office of Public Education Facilities Modernization; to provide that an amount of \$1 million in capital funds be available from the Department of Parks and Recreation capital funds to the District of Columbia Public Library to support The Historical Society of Washington, D.C. in developing exhibits in the Carnegie Library; to provide that the Office of the State Superintendent of Education continue to provide through the Department of Parks and Recreation direct child care programs, and to require the Office of the State Superintendent of Education to submit to the Council a

## ENROLLED ORIGINAL

comprehensive analysis and plan for child care programs for special needs and developmentally disabled children in fiscal year 2010 by November 15, 2009; to amend the Grandparent Caregivers Pilot Program Establishment Act of 2005 to make permanent the program through which a grandparent may be eligible to receive subsidy payments for the care and custody of a child; to amend the Department of Health Functions Clarification Act of 2001 to permit the Director of the Department of Health to issue grants for specified purposes, and to provide authority to issue grants; to amend the Effi Slaughter Barry HIV/AIDS Initiative Act of 2008 to provide technical and financial assistance to selected community service providers located east of the Anacostia River; to amend An Act to enable the District of Columbia to receive federal assistance under title XIX of the Social Security Act for a medical assistance program and for other purposes to authorize the Mayor to submit medical assistance plans to the Secretary of the United States Department of Health and Human Services; to amend 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; to establish reporting requirements for the Department of Human Services on the savings produced by the Housing First Program, on services to homeless individuals during the hypothermia season, and on implementation of the healthy foods initiative to allow food stamps to be used at Farmers' markets; to amend the Children and Youth Initiative Establishment Act of 1999 to direct the Mayor to submit grants and grant renewals to the Children and Youth Investment Trust Corporation in excess of \$1 million to the Council for review; to amend the Department on Disability Services Establishment Act of 2006 to direct the Department on Disability Services to issue rules and regulations to clarify the responsibility of the Department with respect to persons who have applied and are considered eligible to receive services, and have been placed on the Department's Waiting List; to require the Mayor to establish a Temporary Aid to Needy Families funded program or service for the purpose of establishing categorical eligibility for the food stamp program, and to require the Mayor to establish the Heat and Eat Initiative as part of the Low-Income Home Energy Assistance Program to maximize the allowable standard deduction used to calculate benefit levels; to amend the Recreation Act of 2004 to authorize the Recreation Enterprise Fund to be used to purchase food, snacks, and non-alcoholic beverages for the general public, Department of Parks and Recreation program participants, and District government employees; to amend the Community Access to Health Care Amendment Act of 2006 to support funding in fiscal year 2010 for services; to amend the District of Columbia Health Professional Recruitment Program Act of 2005 to make a technical adjustment to the annual service requirement; to prohibit the Department of Health, Mental Health, and Health Care Finance from transferring funds in excess of a budgeted amount; to amend section 15b of the Hospital and Medical

## ENROLLED ORIGINAL

Services Corporation Regulatory Act of 1996 to support fiscal year 2010 expenditures; to designate certain allocations within the fiscal year 2010 budget; to amend the Prevention of Child Abuse and Neglect Act of 1977 to establish the Child and Family Services Agency Transportation Fund to fund the costs of transporting certain District wards with special needs living outside the District; to amend section 102 of the Community Access to Health Care Amendment Act of 2006 to permit Specialty Hospitals of America, or certain of its subsidiaries, to deduct certain expenses related to the Metropolitan Police Department Arrestee program; to amend the District of Columbia Public Assistance Act to structure the Temporary Assistance to Needy Families to require work-eligible applicants to complete an employment program orientation, to require recipients referred to a governmental or nongovernmental employment or education program to complete an assessment, to authorize monetary incentives to customers who meet the federal work participation requirement; to amend the Prevention of Child Abuse and Neglect Act of 1977 to require the Child and Family Services Agency to publicly report the number of emancipating youth and families who apply for or are referred for Rapid Housing assistance, the number of such youth and families who are eligible for assistance, and the number of youth and families who receive assistance; to amend the Motor Vehicle Services Fees and Driver Education Support Act of 1982 to allow the Mayor discretion to use the Driver Education Program Fund for Department of Motor Vehicle functions; to amend The District of Columbia Traffic Adjudication Act of 1978 to eliminate adjudication for participants in the fleet program; to amend Title 18 of the District of Columbia Municipal Regulations to eliminate most vehicle safety inspection; to amend Chapter 24 of Title 18 of the District of Columbia Municipal Regulations to increase parking meter rates and to repeal the Saturday Moratorium; to amend section 2 of the Parking Meter Fee Moratorium Act of 2004 to increase parking meter rates; to repeal the Equitable Parking Meter Rates Temporary Amendment Act of 2009; to amend the Department of Transportation Establishment Act of 2002 to clarify that public space rental fees and certain fines for moving violations for overweight vehicles are to be deposited in the District Department of Transportation Unified Fund; to amend section 20a of the District of Columbia Taxicab Commission Establishment Act of 1985 to require the District of Columbia Taxicab Commission Fund to consist of the all the assessments levied by the Commission; to amend Title 47 of the District of Columbia Official Code to raise certain licensing fees; to amend Title 31 of the District of Columbia Municipal Regulations to increase certain licensing and operator fees; to establish the Pedestrian Advisory Council, describe the membership and purpose of the Pedestrian Advisory Council, and provide that the District Department of Transportation shall fund the operations of the Pedestrian Advisory Council; to repeal section 14(c-1) of the District of Columbia Taxicab Commission Establishment Act of 1985; to amend the District of Columbia Comprehensive Bicycle Transportation and Safety Act of 1984 to provide that

## ENROLLED ORIGINAL

the District Department of Transportation shall provide the Bicycle Advisory Council with an annual operating budget; to amend the Washington Metropolitan Area Transit Authority Fund Act of 2006 to establish the Washington Metropolitan Transit Authority Fund; to direct the Chief Financial Officer to provide support to the District Department of Transportation to identify the key cost drivers in the agency and to submit a report detailing the results of the analysis to the Council by February 1, 2010; to require the Mayor to execute an agreement with the Anacostia Community Boathouse Association relating to providing a relocation site for the association; to amend section 1216 of Title 31 of the District of Columbia Municipal Regulations to increase the limousine and tour bus fee, and to require the Mayor to establish a new program to encourage domestic sightseeing tour bus operations; to amend the Southwest Waterfront Bond Financing Act of 2008, the National Public Radio Property Tax Abatement Act of 2008, the City Market at O Street Tax Increment Financing Act of 2008, the Georgia Commons Real Property Tax Exemption and Abatement Act of 2007, the Urban Institute Real Property Tax Abatement Temporary Act of 2009, the Tregaron Conservancy Tax Exemption and Relief Act of 2008, section 47-446 of the District of Columbia Official Code, the Service Improvement and Fiscal Year 2000 Budget Support Act of 1999, the Recreation Volunteer Background Check and Screening Act of 2000, the Government Employer-Assisted Housing Amendment Act of 1999, the Public Access to Automated External Defibrillator Act of 2000, the Greater Southeast Community Hospital Corporation and the Greater Southeast Management Company Loan Emergency Approval Resolution of 1999, the Greater Southeast Community Hospital Corporation and Hadley Memorial Hospital Tax Abatement Act of 2001, the DC Teachers Federal Credit Union Real Property Tax Exemption Act of 2002, the Woolly Mammoth Theatre Tax Abatement Act of 2002, the Square 456 Payment in Lieu of Taxes Act of 2002, the Mandarin Oriental Hotel Project Tax Deferral Act of 2002, the Square 456 Payment in Lieu of Taxes Act of 2002, the South Capitol Street Development Disposition Approval Resolution of 2006, the Taxation Without Representation Federal Tax Pay-Out Message Board Installation Act of 2008, the Lower Income Homeownership Cooperative Housing Association Re-Clarification Act of 2008, the So Others Might Eat Property Tax Exemption Act of 2008, the Mentally Retarded Citizens Constitutional Rights and Dignity Act of 1978, the St. Martin's Apartments Tax Exemption Act of 2008, the Prohibition of the Investment of Public Funds in Certain Companies Doing Business with the Government of Iran and Sudan Divestment Conformity Act of 2008, the Domestic Partnership Police and Fire Amendment Act of 2008, the Gateway Market Center and Residences Real Property Tax Exemption Act of 2008, the Asbury United Methodist Church Equitable Real Property Tax Relief Act of 2008, the Eckington One Residential Economic Development Act of 2008, the Limitation on Borrowing and Establishment of the Operating Cash Reserve Act of 2009, the Washington Area Transit Authority Fund Act of 2006 the Washington,

## ENROLLED ORIGINAL

D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc. Real Property Tax Relief Temporary Act of 2008, the NoMA Residential Development Tax Abatement Act of 2009, the Randall School Development Project Tax Abatement Temporary Act of 2009, the Opportunity Accounts Act of 2000, the Fiscal Year 2007 Budget Support Act of 2006, the Government Employer-Assisted Housing Amendment Act of 1999, and the Rental Housing Act of 1985 to eliminate or add budget funding applicability provisions to reflect the budget and financial plan; to amend section 47-2005 of the District of Columbia Official Code to repeal the sales tax holiday; to establish certain one-time uses of funds in the Neighborhood Investment Fund; to amend section 47-305.02 of the District of Columbia Official Code to repeal certain provisions of the School Modernization Financing Act of 2006; to amend Chapter 8 of Title 47 of the District of Columbia Official Code to impose a limitation on owner-occupant residential tax credit; to amend section 47-1803.03 of the District of Columbia Official Code to disallow for income tax purposes certain interest expenses and intangible expenses that are directly or indirectly paid, accrued, or incurred to, or in connection directly or indirectly with one or more direct or indirectly transactions with, one or more related members; to amend the District of Columbia Deed Recordation Tax Act of 1962 to clarify that transfers of shares in a cooperative housing association are subject to taxes levied on the transfer of economic interests; to amend section 47-813 of the District of Columbia Official Code to define Class 3 blighted property; to amend Chapter 44 of Title 47 of the District of Columbia Official Code to authorize the Chief Financial Officer to establish a tax amnesty program; to amend section 47-1803.02 of the District of Columbia Official Code to decouple certain District tax deductions from Internal Revenue Code provisions amended by the American Recovery and Reinvestment Act of 2009; to amend section 47-4402 of the District of Columbia Official Code to reduce the threshold for requiring non-individual income taxpayers to make payments electronically; to amend Chapter 10 of Title 47 of the District of Columbia Official Code to exempt from taxation certain property owned by Building Bridges Across the River, Inc., a nonprofit corporation, and used as a community playground; to provide equitable real property tax relief to the Washington, D.C. Fort Chaplin Park South Congregation of Jehovah's Witnesses, Inc., a tax-exempt religious organization; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide a real property tax abatement for certain real property owned by The Urban Institute; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption to the Randall School development project, starting on October 1, 2008, to cease once a certificate of occupancy issues for any part of the Randall School development project; to repeal section 3 of the Arts, Cultural, and Educational Facilities Support Act of 2004; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide real property and sales tax exemptions for a mixed-use real estate project on Lot 164, Square 234,

## ENROLLED ORIGINAL

including the renovation of a community and wellness facility; to amend Chapter 46 of Title 47 of the District of Columbia Official Code to provide a real property tax exemption to a mixed-use real estate project on Lot 155, Square 2868; to amend Chapter 3 of Title 47 of the District of Columbia Official Code to make technical changes relating to the limitation on borrowing cap; to provide equitable property tax relief to the God of a Second Chance Ministry for real property located at Lot 153, Square 5365; to require the Council to pass legislation requiring all corporations taxable in the District of Columbia determine the income apportionable or allocable to the District of Columbia by reference to the income and apportionment factors of all commonly controlled corporations organized within the United States with which they are engaged in a unitary business; to amend Title 47 of the District of Columbia Official Code to freeze the homestead deduction, standard deduction, and personal exemption until fiscal year 2013, to increase the retail sales and use tax from 5.75% to 6% for 3 fiscal years, to increase the gasoline tax from \$.20 to \$.235, and to increase the cigarette tax from \$.10 per cigarette to \$.125 per cigarette; to amend Chapter 24 of Title 47 of the District of Columbia Official Code to establish a \$.075 weight-based excise tax on certain tobacco products; to authorize the transfer of certified fund balances from fiscal years 2009, 2010, 2011, 2012, and 2013 special purpose revenue accounts to local funds, and to authorize the use of such funds without regard to special purpose limitations; to rescind certain capital projects and their associated budget authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2010 Budget Support Second Emergency Act of 2009".

## TITLE I. GOVERNMENT DIRECTION AND SUPPORT

## SUBTITLE A. ONE CARD SERVICE SUPPORT

Sec. 1001. Short title.

This subtitle may be cited as the "Technology Services Support Emergency Act of 2009".

Sec. 1002. Definitions.

For the purposes of this subtitle, the term:

(1) "DC One Card" means a credential issued by the District government as a single credential for purposes of accessing multiple District facilities, programs, and benefits, including public libraries, facilities of the Department of Parks and Recreation, and public schools.

(2) "Electronic chip" means a smart chip, radio frequency identification chip, or other contact or contact-less electronic media, including a Washington Metropolitan Area Transit Authority Smartrip chip, embedded in a DC One Card, to be read by participating agencies and programs for identification of the cardholder.

## ENROLLED ORIGINAL

## Sec. 1003. Replacement fee.

A nonrefundable fee of \$5 for replacement of any DC One Card that contains an electronic chip shall be collected by the agency issuing the replacement card at the point of issuance of the replacement card.

## Sec. 1004. 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.*), shall issue rules to implement the provisions of this subtitle.

## SUBTITLE B. UNEMPLOYMENT COMPENSATION MODERNIZATION

## Sec. 1010. Short title.

This subtitle may be cited as the "Unemployment Compensation Modernization Emergency Amendment Act of 2009".

Sec. 1011. Section 3(m)(3) of the District of Columbia Unemployment Compensation Act, approved August 28, 1955 (49 Stat. 947; D.C. Official Code § 51-103(m)(3)), is amended by striking the phrase "December 31, 2008" and inserting the phrase "December 31, 2013" in its place.

## SUBTITLE C. OFFICE OF DOCUMENTS PERSONNEL

## Sec. 1020. Short title.

This subtitle may be cited as the "Documents Emergency Amendment Act of 2009".

Sec. 1021. Section 2(f) of the District of Columbia Documents Act of 1978, effective March 6, 1979 (D.C. Law 2-153; D.C. Official Code § 2-611(f)), is repealed.

## SUBTITLE D. TELECOMMUNICATION ACCOUNTABILITY

## Sec. 1030. Short title.

This subtitle may be cited as the "Telecommunication Accountability Emergency Amendment Act of 2009".

Sec. 1031. Section 1814 of the Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1403), is amended as follows:

- (a) Paragraph (8) is amended by striking the word "and" at the end.
- (b) Paragraph (9) is amended by striking the period at the end and inserting the phrase "; and" in its place.
- (c) A new paragraph (10) is added to read as follows:

## ENROLLED ORIGINAL

"(10)(A)(i) Review the use of landlines, wireless phone lines, and data for which the District pays for telecommunication services and decertify and disconnect such services whenever not in active use; and

"(ii) Require District agencies to annually re-certify all inventory in the fixed cost management system of active landlines, wireless phone lines, and data circuits.

"(B) The Office may:

"(i) Disconnect landlines in favor of wireless devices and vice versa based on usage analysis and in consultation with agency directors; and

"(ii) Review and reject any requests for telecommunication services that do not comply with the technology standards of the Office.

"(C) The Office shall not impose any requirement, determination, or decision concerning, or otherwise interfere with, the telecommunications inventory of the Council unless the Council specifically consents."

## SUBTITLE E. SMART LIGHTING STUDY

Sec. 1040. Short title.

This subtitle may be cited as the "Smart Lighting Study Emergency Act of 2009".

Sec. 1041. Definitions.

For the purposes of this subtitle, the term "DDOE" means the District Department of the Environment.

Sec. 1042. Smart lighting study.

(a) Within 270 days after the effective date of this subtitle, DDOE shall submit a report to the Council recommending strategies and standards for optimal lighting methods and levels in the District. The report shall address:

- (1) Public safety;
- (2) Energy efficiency;
- (3) Cost efficiency;
- (4) Effects on environmental health; and
- (5) Aesthetics.

(b) In producing the report required by subsection (a) of this section, DDOE shall:

(1) Consult with civil servants who have technical expertise and work for the Office of Planning, the Office of Property Management, the Department of Housing and Community Development, the District Department of Transportation, the Metropolitan Police Department, the Fire and Emergency Medical Services Department, and appropriate federal authorities, including the General Services Administration, the Architect of the Capitol, and the National Capital Planning Commission;

- (2) Solicit input from the public; and

## ENROLLED ORIGINAL

(3) Evaluate recognized lighting standards, including standards promulgated by the Illuminating Engineering Society and the International Dark Sky Association.

## SUBTITLE F. ELECTION REFORM FUND ESTABLISHMENT AMENDMENT ACT

Sec. 1050. Short title.

This subtitle may be cited as the "Election Reform Fund Establishment Emergency Amendment Act of 2009".

Sec. 1051. The District of Columbia Election Code of 1955, approved August 12, 1955 (69 Stat. 699; D.C. Official Code § 1-1001.01 *et seq.*), is amended by adding a new section 6a to read as follows:

"Sec. 6a. Establishment of the Election Reform Fund.

"(a) There is established as a nonlapsing fund the Election Reform Fund ("Fund"), which shall be administered by the Board and shall be used solely to implement election reform initiatives to be enacted by the Council. On or about October 1, 2009, the Chief Financial Officer shall deposit \$300,000 into the Fund.

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

"(c) Notwithstanding subsection (a) of this section, no funds in the Fund shall be expended until the Council approves, by resolution, a September 2010 primary election preparation plan submitted to the Council by March 31, 2010."

## SUBTITLE G. ELECTRONIC SIGNATURES

Sec. 1060. Short title.

This subtitle may be cited as the "Campaign Finance Electronic Signature Emergency Amendment Act of 2009".

Sec. 1061. Section 303(1) of the District of Columbia Campaign Finance Reform and Conflict of Interest Act of 1974, approved August 14, 1974 (88 Stat. 456; D.C. Official Code § 1-1103.03(1)), is amended by striking the word "mediums" and inserting the phrase "mediums, including electronic or digital signatures," in its place.

## SUBTITLE H. SUMMER YOUTH EMPLOYMENT

Sec. 1070. Short title.

This subtitle may be cited as the "Summer Youth Employment Emergency Amendment Act of 2009".

## ENROLLED ORIGINAL

Sec. 1071. Section 2(a)(1) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(a)(1)), is amended as follows:

(a) Subparagraph (A) is amended by striking the phrase "10,000 youth" and inserting the phrase "no less than 10,000 and no more than 21,000 youth" in its place.

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

"(A-i) Registration for the summer youth jobs program shall occur between the second day of January and the first day of April of each year."

(c) Subparagraph (B) is amended by striking the phrase "minimum of" and inserting the phrase "period of no more than 6 weeks" in its place.

## SUBTITLE I. LEGISLATIVE BRANCH BUDGET SUBMISSION

Sec. 1080. Short title.

This subtitle may be cited as the "Legislative Branch Budget Submission Emergency Act of 2009".

Sec. 1081. Chapter 3 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:

"47-318.01b. Legislative branch budget submission."

(b) A new section 47-318.01b is added to read as follows:

"§ 47-318.01b. Legislative branch budget submission.

"(a) At least 20 days prior to the Mayor's submission of the annual budget to the Council, the Chairman of the Council shall transmit to the Mayor an estimate in detail of the amount of money required for the:

"(1) Council;

"(2) Office of the District of Columbia Auditor; and

"(3) Office of the Advisory Neighborhood Commissions for the ensuing fiscal

year.

"(b) The Mayor shall transmit the same estimate required by subsection (a) of this section in his annual estimate of appropriations for the District of Columbia, with such recommendations as he may consider proper."

SUBTITLE J. CRITERIA FOR COUNCIL REVIEW OF CONTRACT OPTION  
CLARIFICATION AMENDMENT

Sec. 1090. Short title.

This subtitle may be cited as the "Criteria for Council Review of Contract Options Clarification Emergency Amendment Act of 2009".

## ENROLLED ORIGINAL

Sec. 1091. Section 105a(b) 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(b)), is amended by adding a new paragraph (3) to read as follows:

"(3)(A) Council approval of contracts submitted pursuant to paragraph (2) of this subsection shall expire 12 months after the award of the contract.

"(B)(i) Council approval of a contract containing a provision that grants to the District the option of continuing or amending the contract beyond the 12-month period of Council approval shall not constitute Council approval of the exercise of the option contract.

"(ii) To exercise an option that meets the criteria for Council review pursuant to this section, the Mayor shall submit the option contract to the Council pursuant to this section.

"(iii) The exercise of an option that meets the criteria for Council review under this subsection without Council review of the option contract is a violation of this section and of section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51)."

SUBTITLE K. INDEPENDENCE OF LEGISLATIVE BRANCH INFORMATION AND PERSONNEL

Sec. 1100. Short title.

This subtitle may be cited as the "Independence of Legislative Branch Information Technology and Personnel Authority Emergency Amendment Act of 2009".

Sec. 1101. The Council of the District of Columbia Independence Act of 1982, effective July 24, 1982 (D.C. Law 4-127; D.C. Official Code § 1-301.44 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 1-301.44) is amended by adding new sections 2a and 2b to read as follows:

"Sec. 2a. Independence of legislative branch information technology.

"(a) No person, including an employee or contractor of the Office of the Chief Technology Officer, or individual employed by or acting on behalf of an official of the Executive branch of the District of Columbia government, shall monitor, access, review, intercept, obtain, use, or disclose to any person or entity a record or electronic communication of a legislative branch agency without the prior express written consent of the Chairman of the Council or the District of Columbia Auditor for their electronic communications.

"(b) For the purposes of sections 2a and 2b the term:

(1) "Electronic communication" means any transfer of signs, signals, writing, images, sounds, data, voice, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic, or photooptical system, including electronic mail, telecommunications, and wireless or wired network communications.

"(2) "Legislative branch agency" means the Council of the District of Columbia

## ENROLLED ORIGINAL

and the District of Columbia Auditor.”.

“(c) Persons violating this section shall be subject to a fine of not more than \$10,000 or imprisonment of not more than 5 years, or both; provided, that this section shall not apply to the contents of any communication that has been disclosed publicly by the legislative branch agency.

“Sec. 2b. Legislative branch information technology acquisition.

“(a) A legislative branch agency may invest in, acquire, use, and manage, independent of the Executive branch, information technology and telecommunications systems and resources, including hardware, software, and contract services.

“(b) A legislative branch agency may, independent of the Executive branch, establish, acquire, maintain, and manage electronic mail messaging systems and services, internet access services, and information technology security systems and services.”.

Sec. 1102. The Office of the Chief Technology Officer Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 1-1401 *et seq.*), is amended by adding a new section 1816a to read as follows:

“Sec. 1816a. Applicability.

“Sections 1813 and 1814 shall not apply to the Council of the District of Columbia or the Office of the District of Columbia Auditor; provided, that the Council may enter into written agreements with the Office of the Chief Technology Officer to coordinate the operations of its electronic communications.”.

Sec. 1103. Section 406(b)(3)(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 § 1-604.06(b)(3)(A)), is amended as follows:

(a) The existing text is designated as sub-subparagraph (i).

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

“(ii) For employees of the Council, the Chairman of the Council shall exercise the authority possessed by the Director of the Department of Human Resources and may adopt personnel procedures applicable to those employees; and”.

#### SUBTITLE L. ENERGY REDUCTION PLAN

Sec. 1110. Short title.

This subtitle may be cited as the "Energy Reduction Planning Emergency Act of 2009".

Sec. 1111. Energy reduction.

(a) The Mayor shall develop a plan that results in a 15% reduction in energy use by each District agency and instrumentality.

(b) The plan shall:

(1) Include specific recommendations on implementation, including the resources

## ENROLLED ORIGINAL

and the time period required to implement the plan;

- (2) Be submitted to the Council on or before December 31, 2009; and
- (3) Consider all sources of energy.

## SUBTITLE M. REPROGRAMMING AND GRANTS CLARIFICATION

Sec. 1120. Short title.

This subtitle may be cited as the "Grant-Making Authority Emergency Act of 2009".

Sec. 1121. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

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

"47-368.06. Limitation on grant-making authority."

"(b) A new section 47-368.06 is added to read as follows:

"§ 47-368.06. Limitation on grant-making authority.

"(a) An agency with grant-making authority shall not issue grants using any funds it receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from any agency that does not have grant-making authority.

"(b) Notwithstanding subsection (a) of this section, an agency with grant-making authority may issue grants using any funds it receives through an intra-District transfer, a memorandum of understanding, or a reprogramming from an agency that does not have grant-making authority for purposes of the following:

"(1) Effectuating the Hospital and Medical Services Corporation Regulatory Emergency Amendment Act of 2009, passed on emergency basis on September 22, 2009 (Enrolled version of Bill 18-443); and

(2) Implementing projects and programs funded by the Nursing Facility Quality of Care Fund."

## SUBTITLE N. REPROGRAMMING POLICY AMENDMENT

Sec. 1130. Short title.

This subtitle may be cited as the "Reprogramming Policy Second Emergency Act of 2009".

Sec. 1131. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-361(2A) of the District of Columbia Official Code is amended by striking the phrase "centers and responsibility centers" and inserting the phrase "centers, responsibility centers, capital projects, capital sub-projects, and, in a performance-based agency, includes programs, activities, and object classes" in its place.

## ENROLLED ORIGINAL

(b) Section 47-362(e) is repealed.

(c) Section 47-363 is amended as follows:

(1) Subsection (a) is amended by striking the phrase "any responsibility center of more than \$400,000" and inserting the phrase "any responsibility center, or, in a performance-based agency, of any program or activity of \$500,000 or more" in its place.

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

“(c) The Mayor shall submit to the Council for approval a reprogramming request when an agency proposes to:

“(1) Transfer funds of \$500,000 or more in any fiscal year from one capital project or sub-project to another capital project or sub-project;

“(2) Transfer funds of \$500,000 or more in any fiscal year from one agency to another agency;

“(3) Establish a new capital project or sub-project; or

“(4) Change the capital project or sub-project description to alter the:

“(A) Scope;

“(B) Purpose; or

“(C) Location.”.

#### SUBTITLE O. CAPITAL IMPROVEMENT FUNDING

Sec. 1140. Short title.

This subtitle may be cited as the "Capital Project Clarification Second Emergency Act of 2009".

Sec. 1141. Chapter 3 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:

“47-339.01. Capital projects.”.

(b) A new section 47-339.01 is added to read as follows:

“§ 47-339.01. Capital projects.

“(a)(1) In accordance with §§ 1-204.43 and 1-204.44, the Mayor shall prepare and include in the annual budget a multiyear capital improvements plan for all agencies for all capital projects, which shall include for each capital project a written:

“(A) Description of the scope of the project;

“(B) Description of the purpose of the project;

“(C) Estimated fully-funded cost;

“(D) Estimated impact on the operating budget;

“(E) Description of its geographic location, including the address and ward; provided, that planning and other studies as set forth in § 1-201.03(8)(A)), or a project

## ENROLLED ORIGINAL

established solely to procure capital equipment or information technology equipment, including those projects under the Master Lease program, shall not require a specified location; and

“(F) A facility name or identifier, if applicable.

“(2)(A) A capital project may include multiple public betterments or improvements only if the public betterments or improvements are:

“(i) At more than one location;

“(ii) Of similar type or purpose; and

“(iii) Do not involve construction of new facilities or substantial rehabilitation of government buildings.

“(B) The information listed in paragraph (1) of this subsection shall be separately provided for any public betterment or improvement included as part of a capital project if the cost of the public betterment or improvement is greater than \$500,000 or more than 10% of the approved budget for the capital project.

“(b)(1) The Mayor shall provide the information required by subsection (a) of this section for every capital project for which funds have been appropriated, in whole or in part, beginning in fiscal year 2008, with the annual budget for each fiscal year until the project has been completed.

“(2) For projects included in fiscal years 2008, 2009, and 2010 budgets, the Mayor shall submit to the Council the information required by subsection (a) of this section by February 1, 2010, for each capital project for which this information has not been provided.”.

## SUBTITLE P. INTERN ANTI-DISCRIMINATION ACT

Sec. 1150. Short title.

This subtitle may be cited as the "Intern Anti-Discrimination Emergency Amendment Act of 2009".

Sec. 1151. Section 102(9) of the Human Rights Act of 1977, effective December 13, 1977 (D.C. Law 2-38; D.C. Official Code § 2-1401.02(9)), is amended by striking the period at the end and inserting the phrase "; provided, that the term "employee" shall include an unpaid intern." in its place.

## SUBTITLE Q. REALLOCATION OF SPECIFIC CAPITAL BUDGET FUNDING

Sec. 1160. Short title.

This subtitle may be cited as the "Reallocation of Capital Budget Funding Second Emergency Act of 2009".

Sec. 1161. Notwithstanding any prior appropriation, the following funds shall be reallocated in accordance with the Fiscal Year 2010 Proposed Budget and Financial Plan submitted to the Congress as follows:

## ENROLLED ORIGINAL

(1) An amount of \$19.106 million from project PL105C, entitled "Archives Recorder of Deeds Pool" to:

Agency	Project #	Name	Amount
FA0	CTV10C	Tactical Village	\$1,000
AM0	CR006C	Renovation of DC Jail Sallyport	850
AM0	MA218C	Inmate Showers	500
AM0	MA223C	Staff & Visitors Entrance	800
AM0	CR007C	Inmate Processing Center	4,000
EB0	EB407C	Baseball Academy	8,300
HAO	QA501C	Stoddert Recreation Center	2,156
HAO	QJ901C	Purchase and Maintain Boys & Girls Clubs	1,000
KA0	EDL15C	Connecticut Av NW Streetscape (K to N St)	500

(2) An amount of \$60.384 million from project PL106C, entitled "Government Centers" to the following projects; provided, that project funding authorized in this paragraph and included in the Fiscal Year 2009 Office of Public Education Facilities Modernization Funding Third Emergency Amendment Act of 2009, passed on emergency basis on September 22, 2009 (Enrolled version of Bill 18-443) ("OPEFM act"), shall be allocated as directed by the OPEFM act; provided further, that any funds not designated for specific school locations shall not be available for demolitions, repairs, or improvements to facilities no longer in use as schools by the District of Columbia Public Schools ("DCPS") and not scheduled to be put back in use as active schools in the DCPS within the next 3 years:

Agency	Project #	Name	Amount
HAO	QJ901C	Purchase & Maintain Boys & Girls Club	\$ 4,000
GM0	YY132C	Elementary Middle Schools Modern.	3,600
GM0	YY230C	School Stabilization	13,500
CE0	CWM01C	Reserve for African American Civil War Records	4,000
AM0	new	DPW Parking Enforcement branch headquarters (former Meyer ES)	5,000
RM0	HX501C	Improvement to Mental Health Hospital Complex	2,100
GM0	YY630C	Planning	2,200
GM0	SG303C	ADA Compliance	3,500
GM0	SK120C	Athletic Fields and Playgrounds	2,484
GM0	YY133C	Selected Additions	20,000

(3) An amount of \$3.744 million from project AWC01C, entitled "District Subsidy to AWC" to:

ENROLLED ORIGINAL

Agency	Project #	Name	Amount
HAO	Q501C	Stoddert Recreation Center	\$3,744
(4) An amount of \$2 million from CRV00C, entitled "Master Equipment Lease - Department of Consumer and Regulatory Affairs," to:			

Agency	Project #	Name	Amount (\$ millions)
HAO	RG003C	Playground Renovation (Shepherd Park ES)	\$1,500
HAO	GN601C	Upshur/Hamilton Community Parks	\$ 500

(5) An amount of \$145,000 from project ISM08C, entitled "Records Management" in the Department of Consumer and Regulatory Affairs to:

Agency	Project #	Name	Amount
HAO	QN301C	Ft. Stevens Rehabilitation	\$ 145

(6) An amount of \$1.5 million from AWC 01C, entitled "District Subsidy to AWC" in the Deputy Mayor for Planning and Economic Development to:

Agency	Project #	Name	Amount
EBO	EB410C	O Street Market	\$ 1,500

(7) An amount of \$991 million from project 2O600C, entitled "Firefighting Apparatus Replacement" in the Fire and Emergency Medical Services Department to:

Agency	Project #	Name	Amount
CEO	TEN37C	Tenley Library	\$ 991

(8) An amount of \$900,000 from project SA301C, entitled "Metrorail Rehab" to:

Agency	Project #	Name	Amount
KAO	ED310C	Cleveland Park Streetscape	\$ 500
KAO	EDL14C	Lot 59 Improvements	\$ 400

(9) An amount of \$50 million from the accounts listed below for the purposes of section 2(b) of the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727):

Agency	Project #	Name	Amount (\$ millions)
KVO	RID01C	Real ID	\$ 9,479
KAO	GFL02C	Salt Dome	\$ 2,800
AMO	PL106C	Government Centers	\$ 2,475
GAO	NM937C	Rudolph School (former)	\$ 1,880
GAO	NK537C	Luke Moore HS	\$ 370
GAO	SG138C	General Improvement	\$ 1,323
GAO	NF937C	Hardy MS	\$ 121
KAO	EDL08C	4th Street improvements	\$ 778

ENROLLED ORIGINAL

KE0	SA301C	Metrorail Rehab	\$21,454
KE0	SA302C	Metrorail Name Change	\$ 500
KA0	CDTE2A	Jefferson Drive Bridge Rehab	\$ 1,112
KA0	CDT47A	Benning Road Bridge over Anacostia River	\$ 3,725
KE0	SA203C	Metrobus	\$ 2,006
KE0	SA204C	Metrobus	\$ 1,030
KE0	SA205C	Metrobus	\$ 10
AMO	CR004C	No Title	\$ 937

SUBTITLE R. DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY  
GRANT CLARIFICATION

Sec. 1170. Short title.

This subtitle may be cited as the "WASA Grant Clarification Emergency Act of 2009".

Sec. 1171. Grant clarification.

The Deputy Mayor for Economic Development and the District of Columbia Water and Sewer Authority shall execute a memorandum of understanding for the expenditure of funds allocated for fiscal year 2010 to mitigate operational challenges in ensuring water supply for fire protection of the residences in the 2600 block of Klinge Road, N.W.

SUBTITLE S. EFFICIENT PROCUREMENT PRACTICE

Sec. 1180. Short title.

This subtitle may be cited as the "District of Columbia Supply Schedule and Purchase Card Fund Emergency Amendment Act of 2009".

Sec. 1181. Section 1103 of the District of Columbia Procurement Practices Act of 1985, effective November 13, 2003 (D.C. Law 15-39; D.C. Official Code § 2-311.03), is amended to read as follows:

"Sec. 1103. District of Columbia Supply Schedule and Purchase Card Fund.

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

"(1) "District of Columbia Supply Schedule" or "DCSS" means the District of Columbia's multiple award schedule procurement program for providing commercial products and services to District government agencies.

"(2) "Purchase Card Program" means the credit card program under which District government agencies are authorized to make purchases for supplies or services.

"(b)(1) The Chief Procurement Officer shall charge and collect a fee, in an amount to be determined by rule, on all sales, purchase orders, delivery orders, task orders, and purchase card transactions made under contracts awarded to contractors under the DCSS.

## ENROLLED ORIGINAL

"(2) Subject to the terms of any memoranda of understanding with the Chief Financial Officer regarding adherence to the applicable requirements of federal grants, loans, or other extensions of credit to the District, the Chief Procurement Officer shall collect any rebates issued to the District by the purchase card issuers under the established Purchase Card Program.

"(c)(1) There is established as a nonlapsing fund the District of Columbia Supply Schedule and Purchase Card Fund ("Fund"), which shall be used solely to pay the costs associated with operating and maintaining the District of Columbia Supply Schedule, the Purchase Card Program, cooperative purchasing agreements, or any other revenue, rebates, or fees generated by programs administered by the Office of Contracting and Procurement. Except as provided in paragraph (2) of this subsection, all funds collected from these sources shall be deposited into the Fund.

(2) For fiscal years 2010 through 2013, the first \$15,000 collected shall be deposited in the General Fund of the District of Columbia.

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

## SUBTITLE T. TRANSPORTATION CAPITAL PROJECTS REQUIREMENTS

Sec. 1190. Short title.

This subtitle may be cited as the "Transportation Procurement Practices Second Emergency Amendment Act of 2009".

Sec. 1191. Section 105a(h) 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(h)), is amended by adding a new paragraph (3) to read as follows:

"(3) For fiscal year 2010, paragraph (1) of this subsection shall not apply unless the annual capital improvement plan and budget for the Highway Trust Fund is submitted to the Council for review and approval in the same format and same detail as required in the FY2010 Proposed Capital Improvement Plan and Budget and includes an accounting for all funding requested with project descriptions and related information."

## SUBTITLE U. POST-EMPLOYMENT BENEFITS

Sec. 1200. Short title.

This subtitle may be cited as the "District Retirement Program Post-Employment Health and Life Insurance Benefits Emergency Amendment Act of 2009".

## ENROLLED ORIGINAL

Sec. 1201. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*) is amended as follows:

(a) Section 2103 (D.C. Official Code § 1-621.03) is amended as follows:

(1) Paragraph (1)(B)(i) through (iii) is amended to read as follows:

"(i) Reaching 57 years of age and having completed 25 years of creditable District service in a correctional officer position;

"(ii) Reaching 62 years of age and having completed 10 years of District government service in a position other than correctional officer; or

"(iii) Becoming entitled to disability benefits under the Social Security Act."

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

"(2A) "Creditable District service" means all service in the employment of the District government that is creditable for purposes of the employee's retirement."

(3) Paragraph (6) is amended by striking the phrase "Member of family" and inserting the phrase "Member of family" or "Family member" in its place.

(b) Section 2109 (D.C. Official Code § 1-621.09) is amended as follows:

(1) Subsections (d) are amended to read as follows:

"(d) Every fiscal year, the Chief Financial Officer shall deposit into the Fund the amount that has been appropriated for the purpose of funding the District contribution for the health and life insurance premiums of annuitants. The Chief Financial Officer may also deposit into the Fund any balances in rate stabilization fund reserves that are refunded to the District by a health insurance carrier."

(2) New subsections (f) through (i) are added to read as follows:

"(f) In the case of an annuitant who has separated pursuant to the District Retirement Benefit Program, no contribution shall be made by the District until the annuitant attains 62 years of age. The annuitant shall pay 100% of the cost of any health benefit plan selected by the annuitant until the annuitant attains age 62. Upon attaining 62 years of age, the District shall pay a portion of the cost of any health benefit plan selected by the annuitant in accordance with subsections (h)(1) or (2) of this section.

"(g) In the case of an annuitant who retired pursuant to the Teachers' Retirement System, the Police and Fire Retirement System, the Judges' Retirement System or the Teachers' Insurance and Annuity Association programs, the District shall pay the portion of the cost of any health benefit plan selected by the annuitant in accordance with subsection (h) of this section.

"(h) The District contribution to post-employment health benefits for an annuitant (and following the annuitant's death, the annuitant's eligible family members) shall be determined as follows:

"(1) For annuitants who retire with at least 10 years of creditable District service, but less than 30 years of creditable District service, the District contribution to the cost of a

## ENROLLED ORIGINAL

health benefit plan selected by the annuitant shall be an amount equal to 25% of the cost of the selected health benefit plan (as secondary to Medicare) and 20% for the covered family member of the annuitant, plus an additional 2.5% for each year of creditable District service over 10 years; provided, that the District contribution shall not exceed 75% of the cost of the selected health benefits plan and 60% for the covered family member of the annuitant. The annuitant and family member shall contribute the applicable balance of the cost of the selected health benefit plan.

"(2) For annuitants with 30 or more years of creditable District service, the District contribution shall be an amount equal to 75% of the cost of the selected health benefit plan and the annuitant shall contribute 25% of the cost of the selected health benefit plan. For a covered family member of an annuitant, the District contribution shall be an amount equal to 60% of the cost of the selected health benefit plan and the covered family member shall contribute 40% of the cost of the selected health benefit plan.

"(3) For annuitants who are injured or killed in the line of duty, the District's contribution shall be an amount equal to 75% of the cost of the selected health benefit plan and the annuitant shall contribute 25% of the cost of the selected health benefit plan. For a covered family member of an annuitant, the District contribution shall be an amount equal to 60% of the cost of the selected health benefit plan and the family member shall contribute 40% of the cost of the selected health benefit plan."

(c) Section 2113 (D.C. Official Code § 1-621.13) is amended by adding a new subsection (d) to read as follows:

"(d) The Mayor, pursuant to Title 1 of the District of Columbia Administrative Procedure Act, approved October 1, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue proposed rules relating to post-employment health benefits coverage including structuring coverage so that it is secondary to other coverage (including Medicare). The proposed rules shall be submitted to the Council for a 45-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 45-day review period, the proposed rules shall be deemed approved."

(d) A new section 2117 is added to read as follows:

"Sec. 2117. Post-employment benefits.

"(a) An annuitant may be eligible for the post-employment health benefits as set forth in section 2105.

"(b) To be eligible for post-employment health benefits, the annuitant must:

"(1) Retire with at least 10 years of creditable District service;

"(2) Be enrolled in a health benefit plan under section 2105 at the time of retirement;

"(3) Have been continuously enrolled in a health benefit plan under section 2105 for a period of at least 5 years preceding the annuitant's retirement date; and

## ENROLLED ORIGINAL

"(4) Remain continuously covered under a health benefit plan under section 2105.

"(c) If an annuitant's coverage in a health benefit plan under section 2105 ends, for any reason, the annuitant shall cease to be eligible for post-employment health benefits and shall not re-enroll, as an annuitant, in a health benefit plan under section 2105.

"(d) Upon the death of an annuitant who is enrolled in a health benefit plan under section 2105 with family coverage, the annuitant's surviving spouse and dependent children who are covered under the health benefit plan at the time of death may continue enrollment in a health benefit plan under section 2105."

(e) A new section 2216 is added to read as follows:

"Sec. 2216. Post-employment benefits.

"An annuitant may elect to convert group life insurance benefits authorized in section 2203 to an individual policy upon separation from service."

## SUBTITLE V. OLD NAVAL HOSPITAL GRANT

Sec. 1210. Short title.

This subtitle may be cited as the "Old Naval Hospital Grant Emergency Amendment Act of 2009".

Sec. 1211. The Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*), is amended by adding a new section 1806k to read as follows:

"Sec. 1806k. Old Naval Hospital Foundation grant authority.

"Subject to appropriations, the Office of Property Management may make a grant in the amount not to exceed \$5.5 million to the Old Naval Hospital Foundation for the purposes of renovating and making improvements to the Old Naval Hospital, Carriage House, and adjacent grounds, located at 921 Pennsylvania Avenue, S.E. ("Property"), in accordance with plans and specifications approved by the Office of Property Management and pursuant to a grant agreement between the District and the Old Naval Hospital Foundation. The Property shall be used by the Foundation for purposes as specified in the agreement to be entered into between the District and the Foundation."

## SUBTITLE W. CHANGE IN USE OF CERTAIN PROPERTIES FORMERLY TITLED IN THE UNITED STATES GOVERNMENT

Sec. 1220. Short title.

This subtitle may be cited as the "Approval of Change in Use of Certain Properties Formerly Titled in the United States Government Emergency Act of 2009".

## ENROLLED ORIGINAL

Sec. 1221. The use of any property transferred to the District pursuant to the Second Fiscal Year 2010 Budget Request Act, passed on 1<sup>st</sup> reading on July 31, 2009 (Enrolled version of Bill 18-412), shall not be modified unless the new use is authorized pursuant to District law.

## SUBTITLE X. DDOE FINE ENHANCEMENT

Sec. 1230. Short title.

This subtitle may be cited as the "District of Columbia Environmental Protection Enhancement Emergency Amendment Act of 2009".

Sec. 1231. Chapter 32 of Title 16 of the District of Columbia Municipal Regulations is amended by adding a new subsection 16-3201.7 to read as follows:

"3201.7. The fine amounts for infractions classified under sections 16-3637, 16-3644, 16-3645, 16-3646, 16-3650, 16-3651, and 16-3662 shall be double the amounts provided in subsection 3201.1. The revenue realized as a result of the increase in the fine grants under this subsection shall be deposited in the General Fund of the District of Columbia".

## SUBTITLE Y. RETAIL SERVICE STATION TRANSFER TAX

Sec. 1240. Short title.

This subtitle may be cited as the "Retail Service Station Transfer Tax Emergency Act of 2009".

Sec. 1241. Section 47-903 of the District of Columbia Official Code is amended by adding a new subsection (a-5) to read as follows:

"(a-5) In addition to the additional tax under subsection (a-4) of this section, for deeds recorded on or after June 1, 2009, an additional tax of 5% is imposed on a deed that is subject to the tax under subsection (a) of this section and that transfers an interest in real property upon which is located a retail service station, as defined in § 36-301.01(15)), where the retail service station had, or should have had a business license or endorsement to operate a retail service station within 6 months before the date the deed was timely recorded. The tax collected under this subsection shall be deposited in the General Fund of the District of Columbia.".

## SUBTITLE Z. EMPLOYEE PARKING PROGRAM FUND

Sec. 1250. Short title.

This subtitle may be cited as the "Employee Parking Program Fund Second Emergency Amendment Act of 2009".

Sec. 1251. Section 1806k of the Office of Property Management Establishment Act of 1998, effective August 16, 2008 (D.C. Law 12-175; D.C. Official Code § 10-1016), is amended as follows:

## ENROLLED ORIGINAL

(a) Subsection (a) is amended by striking the word "All" and inserting the phrase "Except as provided by subsection (d) of this section, all" in its place.

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

"(d) Beginning on October 1, 2009, the Office of Property Management shall charge District government employees within the employee parking program the same parking rate as market-rate parking within the general geographic area of the parking space; provided, that in no case shall the fee charged be more than \$160 per month per parking space. For fiscal years 2010-2013, the revenue realized as a result of the increase in parking rates under this subsection shall be deposited in the General Fund of the District of Columbia."

## SUBTITLE AA. CAPITAL PROJECT SUPPORT FUND

Sec. 1260. Short title.

This subtitle may be cited as the "Capital Project Support Fund Establishment Second Emergency Act of 2009".

Sec. 1261. Definitions.

For the purposes of this act, the term:

(1) "Surplus bond funds" means proceeds from the District's bond issuances, including general obligation bonds and income tax secured revenue bonds that are designated to fund certain capital projects and which:

(A) Remain available after the authorized project has been completed or the funds no longer considered necessary;

(B) For a project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(C) For a project with a balance of \$250,000 or less, no funds have been expended or encumbered for 3 consecutive years.

(2) "Surplus non-bond funds" means funds from sources other than proceeds from the District's bond issuances designated to fund certain capital projects and which:

(A) Remain available after the authorized project has been completed or the funds no longer considered necessary;

(B) For a project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(C) For a project with a balance of \$250,000 or less, no funds have been expended or encumbered for 3 consecutive years.

## ENROLLED ORIGINAL

## Sec. 1262. Capital Project Support Fund; establishment.

(a) There is established the Capital Project Support Fund ("Fund") to be used to provide funding for qualified capital projects, within which shall be established 2 accounts. One account shall be designated the Bond Account and the other account shall be designated the Non-Bond Account.

(b) All surplus bond funds identified by the Chief Financial Officer shall be deposited into the Bond Account.

(c) All surplus non-bond funds identified by the Chief Financial Officer shall be deposited into the Non-Bond Account, including those from the Local Street Maintenance Fund, Master Equipment Lease/Purchase financing, Sale of Assets and Pay-as-You-Go capital funding, but excluding federal grants and Federal Highway Trust Fund.

## Sec. 1263. Expenditures from Fund.

(a) Funding for an approved capital project may be provided through redirection in an approved budget and financial plan or through a reprogramming, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code.

(b) Within 30 days of a request by the Mayor to reprogram the money in the Fund to an approved capital project, the Chief Financial Officer shall certify that the funds are available and the expenditure to support the project is in compliance with this act. If a project is to receive funds from both the Bond Account and the Non-Bond Account, the Chief Financial Officer shall also certify the amount to be funded from each account.

## Sec. 1264. Reporting requirements.

(a) The Chief Financial Officer shall submit a written report to the Mayor and the Council on a quarterly basis on the status of the Fund, including the current balance of the Fund, specifying the amount in each account, and a list of the projects supported by the Fund, specifying the account.

(b) An agency that receives an extension pursuant to section 1271(1)(B) or (2)(B) shall submit an activity report and schedule for completion within 120 days of the start of the extension.

## Sec. 1265. Washington Metropolitan Area Transit Authority project.

(a) Notwithstanding any other provision of this act, the budget authority for an approved capital project shall be reprogrammed, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code, for use pursuant to the Washington Metropolitan Area Transit Authority Fund Act of 2006, effective June 16, 2006 (D.C. Law 16-132; 53 DCR 4727) ("WMATA project"); provided, that:

(1) The capital project has been completed or the funds no longer considered necessary and budget authority remain available;

## ENROLLED ORIGINAL

(2) For a capital project with a balance of more than \$250,000, no funds have been expended or encumbered for 3 consecutive years, and the agency has not notified the Chief Financial Officer within 30 days of the end of the 3-year period that the agency intends to use the funds to implement the project within 18 months; or

(3) For a capital project with a remaining budget authority of \$250,000 or less, the capital project has not been funded for 3 consecutive years.

(b) If at any time the Chief Financial Officer determines that certain funds are not needed to meet the requirements of the WMATA project, those funds may be reprogrammed, pursuant to Chapter 3 of Title 47 of the District of Columbia Official Code, to any capital project that the Chief Financial Officer certifies a funding need.

## SUBTITLE BB. LOBBYING REGISTRATION FEE

Sec. 1270. Short title.

This subtitle may be cited as the "Campaign Finance Reform and Conflict of Interest Emergency Amendment Act of 2009".

Sec. 1271. Section 502 of the District of Columbia Campaign Finance Reform and Conflict of Interest Act, approved August 14, 1974 (88 Stat. 462; D.C. Official Code § 1-1105.02), is amended as follows:

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

(b) The newly designated subsection (a) is amended as follows:

(1) Strike the phrase "if such person receives compensation" and insert the phrase "and pay the required registration fee if the person receives compensation" in its place.

(2) A new sentence is added at the end to read as follows:

"Failure to register as required by this section shall result in a civil penalty of treble the registration fee amount."

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

"(b)(1) Except as provided in paragraph (2) of this subsection, the registration fee for lobbyists shall be \$250.

"(2) The registration fee for lobbyists who lobby solely for nonprofit organizations shall be \$50.

"(c) All fees collected under subsection (b) of this section shall be used to administer and enforce Title V of this act."

## SUBTITLE CC. BONUS PAY RESTRICTION

Sec. 1280. Short title.

This subtitle may be cited as the "Bonus Pay Restriction Emergency Act of 2009".

## ENROLLED ORIGINAL

Sec. 1281. For fiscal year 2010, no funds shall be used to support the categories of special pay or bonus pay.

## SUBTITLE DD. DCPL CAPITAL PROJECT FUND DESIGNATION

Sec. 1290. Short title.

This subtitle may be cited as the "DCPL Capital Project Fund Designation Second Emergency Act of 2009".

Sec. 1291. District of Columbia Public Library capital funds.

All capital funds for the District of Columbia Public Library shall be separated by individual library project with available balances for each project and funding priority shall be given to wards where no renovation project exceeding \$2.5 million in value has been undertaken since fiscal year 2006.

## SUBTITLE EE. PURCHASE OF 225 VIRGINIA AVENUE, S.E.

Sec. 1300. Short title.

This subtitle may be cited as the "Purchase of 225 Virginia Avenue, S.E., Second Emergency Act of 2009".

Sec. 1301. Purchase of 225 Virginia Avenue, S.E.

(a) 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) ("Home Rule Act"), and notwithstanding 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) ("Procurement Practices Act"), and the procedures and requirements of the Office of Property Management Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 10-1001 *et seq.*) ("Office of Property Management Establishment Act"), the Council approves the exercise by the Mayor of the purchase option contained in the District's sublease for the real property located at 225 Virginia Avenue, S.E., known for tax and assessment purposes as Lots 21, 36, 37, and 831 in Square 766 ("Property"), and the Mayor contracting to purchase the Property in an amount not to exceed \$85.2 million, exclusive of the costs of settlement.

(b) Notwithstanding the procedures and requirements of An Act Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes, approved August 5, 1939 (53 Stat. 1211; D.C. Official Code § 10-801 *et seq.*), the Council approves the disposition by the Mayor of the Property pursuant to a negotiated agreement with Stonebridge Carras, LLC, or an affiliate or assignee approved by the Mayor, pursuant to a ground lease for a period in excess of 20 years or such other method the Mayor determines to be in the best interests of the District; provided, that the Mayor shall not dispose of the Property unless the agreement to

## ENROLLED ORIGINAL

dispose of the Property is executed by the Mayor at the same time that the Mayor executes the agreement described in subsection (c) of this section.

(c) Notwithstanding the procedures and requirements of the Procurement Practices Act and the procedures and requirements of the Office of Property Management Establishment Act, the Mayor may negotiate an agreement with Stonebridge Carras, LLC, or an affiliate or assignee approved by the Mayor, for the lease of a build-to-suit office building to be located at the Property with a lease term for a period of years no longer than the ground lease authorized in subsection (b) of this section that includes a requirement that the landlord construct base building improvements and construct and provide tenant improvements at the Property based on plans and specifications approved by the Mayor, and as an amortized rental rate over the term of the lease, the agreed to costs of the design, construction, installation, and provision of the improvements; provided, that the agreement shall be submitted to the Council for approval pursuant to section 451 of the Home Rule Act and section 105a of the Procurement Practices Act.

## TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

## SUBTITLE A. PROACTIVE ABATEMENT OF NUISANCE PROPERTIES

Sec. 2001. Short title.

This subtitle may be cited as the "Administrative Abatement and Proactive Abatement Fee Emergency Amendment Act of 2009".

Sec. 2002. Subsection 220.1 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 220.1) is amended as follows:

(a) Paragraph (b) is amended by striking the word "and".

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

"(c) A fee to cover the administrative costs of the fund established by D.C. Official Code § 42-3131.01(b)(1)(A), of one hundred seventy-five dollars (\$ 175.00) base fee and thirty dollars (\$30.00) for each additional hour; and".

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

"(d) A fee to cover proactive inspection costs of the Department of Consumer and Regulatory Affairs of thirty-five dollars (\$35) per unit on rental accommodations of three (3) units or more shall be charged biennially. The charge shall not exceed two thousand dollars (\$2,000.00) biennially. The fee shall be deposited in the fund established by D.C. Official Code § 42- 3131.01(b)(1)(A).".

SUBTITLE B. EXPEDITED ADVISORY NEIGHBORHOOD COMMISSIONS  
NOTIFICATION

Sec. 2010. Short title.

This subtitle may be cited as the "Expedited Advisory Neighborhood Commissions Notification Emergency Amendment Act of 2009".

## ENROLLED ORIGINAL

Sec. 2011. Section 13(c) of the Advisory Neighborhood Commission Act of 1975, effective March 26, 1976 (D.C. Law 1-58; D.C. Official Code § 1-309.10(c)), is amended by adding new paragraphs (3) and (4) to read as follows:

"(3) The Department of Consumer and Regulatory Affairs shall ensure that each affected Commission, the Commissioner representing the affected single member district, the affected ward Councilmember, and the Office of Advisory Neighborhood Commissions is provided a current list at least twice a month of applications for construction, demolition, raze, and public space permits. The list may be provided by electronic or first-class mail; provided, that the notice to the affected Commission shall be by first-class mail unless the affected Commission agrees in writing to receive electronic mail notifications.

"(4) The Office of Zoning shall ensure that each affected Commission, the Commissioner representing the affected single member district, the affected ward Councilmember, and the Office of Advisory Neighborhood Commissions is provided notice of applications, public hearings, proposed actions, and actions on all zoning cases. The notice may be provided by electronic or first-class mail; provided, that the notice to the affected Commission shall be by first-class mail unless the affected Commission agrees in writing to receive electronic mail notifications."

## SUBTITLE C. ZONING ENHANCED CUSTOMER SERVICES

Sec. 2020. Short title.

This subtitle may be cited as the "Zoning Enhanced Customer Services Emergency Amendment Act of 2009".

Sec. 2021. The Construction Codes Approval and Amendments Act of 1986, effective March 21, 1987 (D.C. Law 6-216; D.C. Official Code § 6-1401 *et seq.*), is amended as follows:

(a) Section 7a (D.C. Official Code § 6-1406.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Regulations, and all" and inserting the phrase "Regulations and from fees, as established by the Mayor by rule, for administrative services rendered by the Office of the Zoning Administrator, and all" in its place.

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

(A) Paragraph (3)(N) is amended by striking the word "and" at the end.

(B) Paragraph (4) is amended by striking the phrase "projects." and inserting the phrase "projects; and" in its place.

(C) A new paragraph (5) is added to read as follows:

"(5) To pay for enhanced customer service delivery."

(b) A new section 7b (to be codified at D.C. Official Code § 6-1406.02) is added to read as follows:

"Sec. 7b. Compliance letter fees.

## ENROLLED ORIGINAL

“The Office of Zoning Administrator administrative fee for the issuance of compliance letters shall be as follows:

- “(1) Zoning compliance letter for a single lot: \$25.
- “(2) Zoning compliance letter for all other requests: \$100.”.

SUBTITLE D. DISTRICT OF COLUMBIA SURVEYOR AND SPECIAL REVIEW REQUESTS ENHANCED CUSTOMER SERVICES

Sec. 2030. Short title.

This subtitle may be cited as the "Surveyor and Special Review Requests Enhanced Customer Services Emergency Amendment Act of 2009".

Sec. 2031. Section 1593 of An Act To establish a code of law for the District of Columbia, approved March 3, 1901 (31 Stat. 1426; D.C. Official Code § 1-1329), is amended as follows:

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

"(a-1) Subject to subsection (a) of this section, the fees of the Office of the Surveyor shall be as follows:

- "(1) Building plats (up to 3 usual-shaped lots): \$50.
- "(2) Registration of land surveyors (renewal of certification): \$75.
- "(3) Registration of land surveyors (application): \$125.
- "(4) Street and alley closings or revisions (closing application initial processing stage: \$2,500.
- "(5) Subdivision of land plats (up to 3 usual-shaped lots): \$400.
- "(6) Subdivision of land plats (more than 3 usual-shaped lots): \$400.
- "(7) Private surveyor's plat (filing wall examination report): \$50.
- "(8) Designation of a new address in the District of Columbia: \$25.
- "(9) Fire suppression systems for hoods and ducts - project review fees:
  - "(A) One to 50 nozzles - \$6 each;
  - "(B) Each nozzle thereafter - \$3 each;
  - "(C) Minimum review fee - \$33.
- "(10) Construction modification requests filed pursuant to subsection 104.10 of Title 12 of the District of Columbia Municipal Regulations (12A DCMR § 104.10): \$175.
- "(11) Specialized shop drawing review requests: \$20 per hour.
- "(12) Elevator repair permit fee: 1% of construction cost (minimum \$33).
- "(13) New elevator permit fee: \$85 per cab.
- "(14) Optional surveyor's preliminary review meeting sessions with Office of Surveyor staff: \$30 per hour.
- "(15) Optional surveyor's preliminary review meeting sessions with the Surveyor: \$50 per hour.

## ENROLLED ORIGINAL

"(16) Optional expedited building plats: \$75.

"(17) Optional electronic building plat: \$5."

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

"(e)(1) There is established as a nonlapsing fund the Enhanced Surveyor Function Fund ("Fund"), to be administered by the Department of Consumer and Regulatory Affairs. The funds in the Fund shall be used solely for the purposes of maintaining and upgrading the surveying systems and enhancing customer service delivery by the Office of the Surveyor.

"(2) Except as provided in paragraph (3) of this subsection, all fees collected by the Office of the Surveyor shall be deposited into the Fund. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in paragraph (1) of this subsection without regard to fiscal year limitation, subject to authorization by Congress.

"(3) Notwithstanding paragraph (2) of this subsection, fees collected by the Office of the Surveyor in the amount of \$29,750 annually shall be deposited in the General Fund of the District of Columbia in fiscal years 2010 through 2013."

SUBTITLE E. BUSINESS LICENSING NOTICE AND COMPLIANCE

Sec. 2040. Short title.

This subtitle may be cited as the "Business Licensing Processing Adjustment Emergency Act of 2009".

Sec. 2041. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents is amended by striking the phrase "47-2851.13. Establishment of Basic Business License Fund; disposition of license fees." and inserting the phrase "47-2851.13. Establishment of Basic Business License Fund; disposition of license fees, penalties, and fines." in its place.

(b) Section 47-2851.10 is amended as follows:

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

"(a) The Department may, by electronic mail or other methods of communication, send notice of impending license expiration, an application for renewal, and a statement of the applicable renewal fee to each licensee within 30 days prior to the expiration date at the mailing address or electronic mail address shown on the Department's records for the licensee. It shall be the responsibility of the licensee to update the address information maintained by the Department."

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

## ENROLLED ORIGINAL

"(b)(1) A license that has not been revoked, suspended, or voluntarily relinquished and that has not been renewed by its expiration date shall be deemed to be lapsed. A licensee may apply for renewal of the license at any time within 30 days after the lapsing of the license and the license shall be reinstated upon the payment of a penalty of \$250, plus all other applicable fees or penalties provided by law.

"(2) A license that is lapsed for more than 30 days shall be deemed to be expired. A licensee whose license is lapsed for more than 30 days, but less than 6 months, after the lapsing of the license may apply for renewal of the license and the license shall be reinstated upon the payment of a penalty of \$500, plus all other applicable fees and penalties provided by law."

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

(A) Paragraph (1) is repealed.

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

"(2) A licensee whose license has been expired for at least 6 months shall be treated as a new applicant and not as an applicant for renewal, unless otherwise provided by applicable law. If the new applicant conducted business during the 6 months after the expiration date of the license without complying with the renewal procedures pursuant to this section, the applicant shall be deemed to have conducted business without a license and shall be liable for any and all fees and fines applicable to conducting business without a license. A new application for a license shall not be processed until all applicable fines and fees have been paid."

(c) Section 47-2851.13 is amended as follows:

(1) The section heading is amended by striking the phrase "licensing fees" and inserting the phrase "license fees, penalties, and fines" in its place.

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

"(b) All fees collected for the issuance of a basic business license and endorsements, including renewals, late renewal penalties, other penalties, and fines, shall be deposited in the Fund. Half of the total amount of penalties and fines collected as a result of notices of infractions issued for basic business license violations shall also be deposited in the Fund. The entire cost of the basic business licensing system shall be paid from the Fund and no other appropriated funds shall be used for that purpose."

(d) Section 47-2855.04 is amended to read as follows:

"§ 47-2855.4. Rules; fees.

"(a) The Mayor shall adopt rules as necessary to administer this subchapter. The rules may include the specifying of forms and the setting of fees for trade name registrations, amendments, searches, renewals, and copies of registration documents.

(b) Fees set pursuant to subsection (a) of this section shall not exceed the actual cost of administering this title; provided, that

"(1) For expedited same-day service, there shall be a fee of \$100 in addition to other fees required by statute or rule;

## ENROLLED ORIGINAL

“(2) For expedited 3-day service, there shall be a fee of \$50 in addition to other fees required by statute or rule.”.

Sec. 2042. Section 121(b) of the District of Columbia Business Corporation Act, approved June 8, 1954 (68 Stat. 228; D.C. Official Code § 29 101.121(b)), is amended as follows:

- (a) Paragraph (18) is amended by striking the word "and".
- (b) Paragraph (19) is amended by striking the period and inserting a semicolon in its place.
- (c) New paragraphs (20) and (21) are added to read as follows:
  - "(20) Expedited same day service, \$100, in addition to all other fees required by statute or rule; and
  - "(21) Expedited 3 day service, \$50, in addition to all other fees required by statute or rule.”.

Sec. 2043. Section 92(a) of the District of Columbia Nonprofit Corporation Act, approved August 6, 1962 (76 Stat. 300; D.C. Official Code § 29-301.92 (a)) is amended as follows:

- (a) Paragraph (20) is amended by striking the word "and";
- (b) Paragraph (21) is amended by striking the phrase "\$75." and inserting the phrase "\$75;" in its place.
- (c) New paragraphs (22) and (23) are added to read as follows:
  - "(22) Expedited same-day service, \$100 in addition to all other fees required by statute or rule; and"
  - "(23) Expedited 3-day service, \$50 in addition to all other fees required by statute or rule.”.

Sec. 2044. Section 44 of the District of Columbia Cooperative Association Act, approved June 19, 1940 (54 Stat. 490; D.C. Official Code § 29-944) is amended as follows:

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

"Sec. 44. Taxation; annual license fee; basic business license; expedited filing services."
- (b) A new subsection (c) is added to read as follows:
- (c) The Mayor may offer the following filing services:
  - "(1) Expedited same-day service, for a fee of \$100 in addition to all other fees required by statute or rule; and
  - "(2) Expedited 3-day service for a fee of \$50 in addition to all other fees required by statute or rule.”.

## ENROLLED ORIGINAL

Sec. 2045. Section 64(a) of the Limited Liability Company Act of 1994, effective July 23, 1994 (D.C. Law 10-138; D.C. Official Code § 29-1063 (a)), is amended as follows:

(a) New paragraphs (5) and (6) are added to read as follows:

"(5) For expedited same-day service, the fee shall be \$100 in addition to all other fees required by statute or rule.

"(6) For expedited 3-day service, the fee shall be \$50 in addition to all other fees required by statute or rule."

Sec. 2046. The Uniform Partnership Act of 1996, effective April 9, 1997 (D.C. Law 11-234; D.C. Official Code § 33-101.01 *et seq.*) is amended as follows:

(a) Section 105 (f) (D.C. Official Code § 33-101.05 (f)) is amended to read as follows:

"(f)(1) The Mayor may collect a fee for filing or providing a certified copy of a statement and for recording the statement.

"(2) In addition to other fees required by statute or rule:

"(A) There shall be a fee of \$100 for expedited same-day service.

"(B) There shall be a fee of \$50 for expedited 3-day service."

(b) Section 1004 (a) (D.C. Official Code § 33-110.04 (a)) is amended to read as follows:

"(a)(1) The Mayor may require that a limited liability partnership file a statement of qualification or statement of foreign qualification, or cancellation thereof or amendment thereto, and an biennial report, on forms provided by the Mayor.

"(2) Except as provided in paragraph (3) of this subsection, the Mayor may assess a fee for such filings in accordance with subsection (b) of this section.

"(3) In addition to other fees required by statute or rule:

"(A) There shall be a fee of \$100 for expedited same-day service.

"(B) There shall be a fee of \$50 for expedited 3-day service."

Sec. 2047. Section 1102(b) of the Uniform Limited Partnership Act of 1987, effective December 10, 1987 (D.C. Law 7-49; D.C. Official Code § 33-211.02(b)) is amended to read as follows:

"(b)(1) Except as provided in paragraph (2) of this subsection, the Department shall set fees as necessary for the implementation of this act.

"(2) In addition to other fees required by statute or rule:

"(A) There shall be a fee of \$100 for expedited same-day service.

"(B) There shall be a fee of \$50 for expedited 3-day service."

## ENROLLED ORIGINAL

SUBTITLE F. COMMUNITY DEVELOPMENT BLOCK GRANT ACCOUNTING  
CORRECTION

Sec. 2050. Short title.

This subtitle may be cited as the "Community Development Block Grant Accounting Correction Emergency Amendment Act of 2009".

Sec. 2051. Section 301(e) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; 55 DCR 1689) ("NCRC-AWC Reorganization Act"), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "included as a segregated line item in the budget of the Department of Housing and Community Development that the Mayor is required to submit to the Council pursuant to section 442 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 798; D.C. Official Code § 1-204.42), and shall be".

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

"(3) The Office of the Deputy Mayor for Planning and Economic Development ("DMPED") shall be required to transmit to the Council a CDBG spending plan annually that lists its planned uses for CDBG funds. The spending plan shall be submitted to the Council on the first day of January for each year that the Department of Housing and Community Development is required to submit its Annual Action Plan to the U.S. Department of Housing and Urban Development. If the Council does not approve or disapprove the spending plan by resolution within 30 days, the spending plan shall be deemed approved.

"(4) DMPED shall provide to the Council a report on CDBG funds within its budget authority within 15 days after the end of each fiscal quarter. The report shall include:

"(A) An executive summary;

"(B) A list of all DMPED CDBG program income received during the fiscal quarter covered by the report;

"(C) A list of all expenditures of DMPED CDBG funds during the fiscal quarter covered by the report;

"(D) A summary report on each project being funded with DMPED CDBG funds, including the status of, and accomplishments related to, the project and a timeline for project completion;

"(E) A list of all DMPED CDBG assets acquired during the fiscal quarter covered by the report; and

"(F) A list of all DMPED CDBG assets disposed of during the fiscal quarter covered by the report, including a description of all potential future income related to the disposition.".

## ENROLLED ORIGINAL

SUBTITLE G. NEIGHBORHOOD INVESTMENT FUND IMPLEMENTATION PLAN  
Sec. 2060. Short title.

This subtitle may be cited as the "Neighborhood Investment Fund Implementation Plan Emergency Amendment Act of 2009".

Sec. 2061. Section 2 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071), is amended as follows:

(a) Subsection (c) is amended by striking the phrase "a 5-year" and inserting the word "the" in its place.

(b) New subsections (h), (i), and (j) are added to read as follows:

"(h)(1) There is established as a nonlapsing fund the Get D.C. Residents Training for Jobs Now Career Technical Training Fund ("Career Technical Training Fund"), which shall be used to fund all costs associated with the 24-hour vocational education programs at Phelps Architecture, Construction and Engineering High School, Academy for Construction and Design at Cardozo Senior High School, and the Hospitality Public Charter School at Roosevelt High School.

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

"(i) The Mayor shall transfer \$1.1 million annually, adjusted yearly for inflation, from the Neighborhood Investment Fund to the Career Technical Training Fund. The initial deposit to the Career Technical Training Fund shall be made on or about October 1, 2009.

"(j) The Neighborhood Investment Fund dollars under the budget authority for the Office of the Deputy Mayor for Planning and Economic Development in fiscal year 2010 shall be allocated on a one-time basis as follows:

"(1) An amount of \$370,613 for personal and administrative costs associated with the implementation of the Neighborhood Investment Fund, including salary, fringe benefits, and supplies;

"(2) An amount of \$1,425,000 to be transferred to the Department of Small and Local Business Development through an intra-District transfer and dispersed to the following Main Street programs as follows:

"(A) An amount of \$150,000 to Shaw;

"(B) An amount of \$75,000 to Historic Dupont;

"(C) An amount of \$100,000 to Adams Morgan;

"(D) An amount of \$150,000 to Vinegar Hill, N.W.;

"(E) An amount of \$150,000 to Georgia Avenue;

"(F) An amount of \$150,000 to Rhode Island;

## ENROLLED ORIGINAL

- “(G) An amount of \$150,000 to North Capitol;
- “(H) An amount of \$150,000 to H Street, N.E.;
- “(I) An amount of \$50,000 to Baracks Row;
- “(J) An amount of \$150,000 to Deanwood; and
- “(K) An amount of \$150,000 to Congress Heights;

“(3) Each Main Streets program receiving \$150,000 or more through the Neighborhood Investment Fund Implementation Plan Emergency Amendment Act of 2009, passed on emergency basis on September 22, 2009 (Enrolled version of Bill 18-443), as set forth in paragraph (2) of this subsection, shall use \$50,000 of its \$150,000 allocation for a Business Improvement District Litter Cleanup program pursuant to section 6092 of the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.111);

“(4) An amount of \$3 million for the New Communities Human Capital Program;

“(5) An amount of \$1.1 million to be transferred annually, adjusted yearly for inflation, to the Career Technical Training Fund pursuant to subsection (i) of this section;

“(6) An amount of \$2.091 million for the DC USA parking garage; and

“(7) An amount of \$835,000 for each of the following Neighborhood Investment Fund Target Areas to be used for competitive grants for projects, programs, or initiatives, exclusively in each area and consistent with this act:

- “(A) Columbia Heights;
- “(B) Brightwood;
- “(C) Washington Highlands;
- “(D) Deanwood/Deanwood Heights;
- “(E) Bloomingdale/Eckington;
- “(F) Logan Circle Neighborhood;
- “(G) H Street;
- “(H) Anacostia;
- “(I) Congress Heights;
- “(J) Shaw Neighborhood;
- “(K) Brookland/Edgewood; and
- “(L) Bellvue.”.

#### Sec. 2062. NIF Fund Balance

There is established as a nonlapsing fund the Fiscal Year 2010 NIF Fund (“Fund”) into which the Chief Financial Officer shall deposit \$3.2 million in fiscal year 2009 funds from the anticipated fiscal year 2009 Neighborhood Investment Fund carryover. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in section 2(j) of the

## ENROLLED ORIGINAL

Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1071(j))("Act"), without regard to fiscal year limitation, subject to authorization by Congress. No funds shall be transferred from the Fund until October 1, 2009, at which time the funds shall be used in accordance with section 2(j) of the Act.

SUBTITLE H. FINANCIAL INCENTIVES FOR MOTION PICTURE AND TELEVISION PRODUCTIONS

Sec. 2070. Short title.

This subtitle may be cited as the "Financial Incentives for Motion Picture and Television Productions Emergency Amendment Act of 2009".

Sec. 2071. The Film DC Economic Incentive Act of 2006, effective March 14, 2007 (D.C. Law 16-290; D.C. Official Code § 39-501 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 39-501) is amended as follows:

(1) The heading is amended by striking the phrase "Film DC Economic Incentive Grant Fund" and inserting the phrase "Film DC Economic Incentive Fund" in its place.

(2) Subsection (a) is amended by striking the phrase "Film DC Incentive Grant Fund" and inserting the phrase "Film DC Economic Incentive Fund" in its place.

(3) Subsections (b) and (c) are amended to read as follows:

"(b) Subject to section 2a and subject to the availability of funds, the Mayor may provide to an eligible production company, as an incentive for the production of movies, television shows, or other video productions in the District, a payment equal to the following:

"(1) The sum of 42% of the company's qualified production expenditures that are subject to taxation in the District;

"(2) The sum of 21% of the company's qualified production expenditures that are not subject to taxation in the District;

"(3) The sum of 30% of the company's qualified personnel expenditures;

"(4) The sum of 50% of the company's qualified job training expenditures; and

"(5) The sum of 25% of the company's base infrastructure investment; provided, that if the base infrastructure investment is in a facility that may be used for purposes unrelated to production or postproduction activities, then the base infrastructure investment shall be eligible for the 25% incentive payment only if the Mayor determines that the facility will support and be necessary to secure production or postproduction activity.

"(c) Subject to section 2b and subject to the availability of funds, the Mayor may provide to an applicant, as an incentive for the creation of production and postproduction facilities in the District, a payment of 25% of the taxpayer's base infrastructure investment; provided, that if all or a portion of the base infrastructure investment is in a facility that may be used for purposes unrelated to production or postproduction activities, then the base infrastructure investment shall

## ENROLLED ORIGINAL

be eligible for the 25% payment only if the Mayor determines that the facility will support and be necessary to secure production or postproduction activity."

(b) New sections 2a, 2b, 2c, 2d, and 2e are added to read as follows:

"Sec. 2a. Production incentives.

"(a) To qualify for a payment under section 2(b), an eligible production company shall:

"(1) Spend at least \$250,000 in the District for the development, preproduction, production, or postproduction costs of a qualified production;

"(2) File an application with the Mayor pursuant to subsection (b) of this section;

"(3) Enter into an incentive agreement with the Mayor pursuant to subsection (d) of this section;

"(4) Comply with the terms of the agreement; and

"(5) Not be delinquent in a tax or other obligation owed to the District or be owned or under common control of an entity that is delinquent in a tax or other obligation owed to the District.

"(b) An eligible production company seeking a payment under section 2(b) shall submit an application to the Mayor. The application shall be submitted in a form, and with such documentation and information, may be prescribed by the Mayor, including:

"(1) An estimate of qualified production expenditures;

"(2) An estimate of qualified personnel expenditures;

"(3) An estimate of qualified job training expenditures; and

"(4) An estimate of and total investment in qualified film and digital media infrastructure projects in the District associated with an identified qualified production.

"(c) After receiving an application under subsection (b) of this section, the Mayor shall review the application and determine whether to enter into an incentive agreement pursuant to subsection (d) of this section with the eligible production company. In determining whether to enter into an incentive agreement with the eligible production company, the Mayor may consider:

"(1) The potential that, in the absence of a payment under section 2b(a), the qualified production will be produced in a location other than the District;

"(2)(A) The qualified production is likely to promote the District as a tourist destination;

"(B) The qualified production is likely to create contracting and procurement opportunities for certified business enterprises;

"(C) The qualified production is likely to:

"(i) Create jobs;

"(ii) Job training opportunities; and

"(iii) Apprenticeships for District residents;

"(D) The qualified production will produce employment opportunities for District youth;

## ENROLLED ORIGINAL

"(E) The qualified production is likely to promote economic development and neighborhood revitalization in the District;

"(F) A payment under section 2b(a) is likely to attract private investment for the production of other qualified productions or base infrastructure investments in the District; and

"(3) The record of the eligible production company in completing commitments to engage in a qualified production.

"(d) An incentive agreement entered into by the Mayor and the eligible production company shall include the following provisions:

"(1) The name of the eligible production company;

"(2) The name and description of the qualified production;

"(3) The eligible production company's:

"(A) Estimated qualified production expenditures;

"(B) Qualified personnel expenditures;

"(C) Qualified job training expenditures; and

"(D) The base infrastructure investment;

"(4) A preliminary estimate of the payment to be made by the District pursuant to the agreement;

"(5) Any obligations of the eligible production company, including obligations such a commitment to hire District residents, provide apprenticeship opportunities for District residents and youth, provide employment opportunities for District residents and youth, and to contract with certified business entities; and

"(6) Any other provisions considered appropriate by the Mayor.

"(e) If the Mayor determines that an eligible production company, after it completes the qualified production, has complied with the terms of the agreement entered into under this section, the Mayor shall provide to the company the payment authorized by section 2(b).

"(f) The Mayor shall reserve funds sufficient to pay the amount identified in subsection (d)(4) of this section.

"Sec. 2b. Infrastructure incentives.

"(a) To be eligible for a payment under section 2(c), an approved applicant shall:

"(1) Invest and expend at least \$250,000 for a qualified film and digital media infrastructure project in the District;

"(2) File an application with the Mayor pursuant to subsection (b) of this section;

"(3) Enter into an agreement with the Mayor pursuant to subsection (d) of this section;

"(4) Comply with the terms of the agreement; and

"(5) Not be delinquent in a tax or other obligation owed to the District, or be owned or under common control of an entity that is delinquent in a tax or other obligation owed to the District.

## ENROLLED ORIGINAL

"(b) An approved applicant seeking a payment under section 2(c) shall submit an application to the Mayor, in a form and with the documentation and information, including an estimate of total base infrastructure investment, as may be prescribed by the Mayor.

"(c) After receiving an application under subsection (b) of this section, the Mayor shall review the application and determine whether to enter into an incentive agreement with the applicant pursuant to subsection (d) of this section. In determining whether to enter into the incentive agreement, the Mayor may consider:

"(1) The potential that, in the absence of a payment under section 2(c), the qualified film and digital media infrastructure project in which the base infrastructure investment will be made will be constructed in a location other than the District, or not constructed at all;

"(2) The extent to which the qualified film and digital media infrastructure project is likely to:

"(A) Create contracting and procurement opportunities for certified business enterprises;

"(B) Create jobs, job training opportunities, and apprenticeships for District residents and District youth;

"(C) Promote economic development and neighborhood revitalization in the District;

"(3) The extent to which the qualified film and digital media infrastructure project is likely to attract motion picture, television, and video production to the District; and

"(6) The record of the applicant in completing commitments to engage in qualified film and digital media infrastructure projects.

"(d) An incentive agreement entered into by the Mayor and the eligible production company shall include the following provisions:

"(1) The name of the applicant;

"(2) A description of the qualified film and digital media infrastructure project;

"(3) The applicant's estimated base investment;

"(4) A preliminary estimate of the payment to be made by the District pursuant to this agreement;

"(5) Any obligations of the eligible production company, including obligations such as a commitment to hire District residents, provide apprenticeship opportunities for District residents and youth, provide employment opportunities for District residents and youth, and to contract with certified business entities; and

"(6) Any other provisions considered appropriate by the Mayor.

"(e) If the Mayor determines, after the qualified film and digital media infrastructure project is complete, that an applicant has complied with the terms of the agreement under this section, the Mayor may provide to the company the payment authorized by section 2(c).

"Sec. 2c. Definitions.

"For the purposes of this act, the term:

## ENROLLED ORIGINAL

"(1) "Base infrastructure investment" means the cost, including fabrication and installation, expended by a person in the development of a qualified film and digital media infrastructure project for tangible assets of a type that are, or under the United States Internal Revenue Code will become, eligible for depreciation, amortization, or accelerated capital cost recovery for federal income tax purposes that are physically located in the District for use in a business activity in the District and that are not mobile tangible assets. The term "base infrastructure investment" does not include qualified production expenditure or qualified personnel expenditure.

"(2) "Below-the-line crew" means a person employed by an eligible production company for a qualified production after production begins and before production is completed, including a producer, director, writer, actor, or other person in a similar position.

"(3) "Eligible production company" means an entity in the business of producing qualified productions.

"(4) "Postproduction expenditure" means a direct expenditure for editing, Foley recording, automatic dialogue replacement, sound editing, special or visual effects, including computer-generated imagery or other effects, scoring and music editing, beginning and end credits, negative cutting, soundtrack production, dubbing, subtitling, addition of sound or visual effects, advertising, marketing, distribution, and related expenses.

"(5) "Qualified film and digital media infrastructure project" means a film, video, television, or digital media production and postproduction facility located in the District, movable and immovable property and equipment related to the facility, and any other facility that is a necessary component of the primary facility. The term "qualified film and digital media infrastructure project" does not include a movie theater or other commercial exhibition facility.

"(6) "Qualified job training expenditure" means salary and other expenditures paid by an eligible production company to provide qualified personnel with on-the-job training to upgrade or enhance the skills of the qualified personnel as a member of the below-the-line crew for a qualified production.

"(7) "Qualified personnel" means a District resident that is legally eligible for employment.

"(8) "Qualified personnel expenditure" means an expenditure made in the District directly attributable to the production or distribution of a qualified production that is a transaction subject to taxation in the District and is a payment of wages, benefits, or fees to below-the-line crew members, and includes a payment to a personal services corporation or professional employer organization for the services of qualified personnel as below-the-line crew members.

"(9) "Qualified production" means motion picture, television, or video content created in whole or in part in the District, intended for nationwide distribution or exhibition by any means, including by motion picture, documentary, television programming, commercials, or internet video production and includes a trailer, pilot, or any video teaser associated with a qualified production. The term "qualified production" does not include:

## ENROLLED ORIGINAL

"(A) A production that:

"(i) Consists primarily of televised news or current events;

"(ii) Consists primarily of a live sporting event;

"(iii) Consists primarily of political advertising;

"(iv) Primarily markets a product or service other than a qualified

production; or

"(B) A radio program.

"(10) "Qualified production expenditure" means a development, preproduction, production, or postproduction expenditure made in the District that is:

"(i) Directly attributable to the production or distribution of a qualified production;

"(ii) Is for the production or distribution of a qualified production;

"(iii) In accordance with generally accepted entertainment industry practices; and

"(iv) Not a qualified personnel expenditure.

"(B) Qualified production expenditure includes the purchase of tangible personal property or services related to producing or distributing a qualified production, production work, production equipment, production software, development work, postproduction work, postproduction equipment, postproduction software, set design, set construction, set operations, props, lighting, wardrobe, catering, lodging, use of vehicles directly attributable to the production or distribution of a qualified production, and any purchase of equipment relating to the duplication or market distribution of any content created or produced in the District, and payment of wages, benefits, or fees to any contractual or salaried employee excluding below-the-line crew who performs services in the District, including a payment to a personal services corporation or professional employer organization for the services of qualified personnel.

"Sec. 2d. Motion picture and television production permits.

"(a) The Mayor may issue a permit for the occupation of the public space for motion picture, television, and other media productions ("film permit") pursuant to section 603 of the Budget Support Act of 1997, effective April 9, 1997 ( D.C. Law 11-198; D.C. Official Code § 10-1141.03).

"(b) The Mayor may impose a one-time fee for processing of the film permit application in the amount of \$30 per production.

"(c) The film permit fee shall be \$150 per day per location to occupy public space or a public right-of-way.

"(d) The Mayor may periodically revise the schedule of fees by rulemaking.

"(e) The fees received by the Mayor from applications for and issuance of the film permits shall be deposited into the special account established by section 2e.

"(f) No permit may be transferred from one location to another.

## ENROLLED ORIGINAL

“Sec. 2e. Film DC Special Account.

“(a) There is established as a nonlapsing fund the Film DC Special Account Fund ("Fund"), which shall be used solely for the purposes set forth in subsection(b)(3) of this section. All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually available for the uses and purposes set forth in subsection (b)(3) of this section without regard to fiscal year limitation, subject to authorization by Congress.

“(b)(1) There shall be deposited into the Fund the fees derived from film permits applied for or issued pursuant to section 2d, other funds as may be designated by law, regulation, or reprogramming, and all interest earned on all deposits.

“(2) There shall be allocated annually to the Office of Motion Picture and Television Development an amount that is equal to the total deposits and earnings that are estimated to remain unspent in the Fund at the end of the preceding fiscal year plus all deposits and earnings that are estimated to be received during the fiscal year for which the allocation is made.

“(3) The funds in the Fund shall be used solely to pay for operating expenses of the Office of Motion Picture and Television Development; provided, that no funds in the Fund shall be used for personnel or personnel-related expenses.”.

SUBTITLE I. WASHINGTON CONVENTION CENTER AUTHORITY AND  
SPORTS AND ENTERTAINMENT COMMISSION MERGER

Sec. 2080. Short title.

This subtitle may be cited as the "Washington Convention Center Authority and Sports and Entertainment Commission Merger Emergency Amendment Act of 2009".

Sec. 2081. The Washington Convention Center Authority Act of 1994, effective September 28, 1994 (D.C. Law 10-188; D.C. Official Code § 10-1201.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 10-1201.01) is repealed.

(b) Section 201 (D.C. Official Code § 10-1202.01) is amended as follows:

(1) Paragraph (1) is redesignated as paragraph (1C).

(2) New paragraphs (1A) and (1B) are added to read as follows:

"(1A) "Armory" means the District of Columbia National Guard Armory."

"(1B) "Authority" means the Washington Convention and Sports Authority established pursuant to section 202.

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

## ENROLLED ORIGINAL

"(2) "Chief Financial Officer" means the Chief Financial Officer established by section 424(a)(1) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(a))."

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

"(4A) "District sports and entertainment facility" means:

"(A) Any stadium, arena, or recreation site owned, operated, or under the direct control of the Authority, including Robert F. Kennedy Memorial Stadium, the District of Columbia National Guard Armory, and the ballpark, as defined in D.C. Official Code § 47-2002.05(a)(1)(A)).

"(B) Any property subordinate, or functionally related, to any stadium, arena, or recreation site, including team offices domiciled in a District sports and entertainment facility, parking lots, parking garages, and practice facilities."

(5) A new paragraph (8) is added to read as follows:

"(8) "Robert F. Kennedy Memorial Stadium" includes all property, facilities, equipment, and appliances of any kind comprising the areas designated as A, B, C, D, or E on the revised map entitled "Map to Designate Transfer of Stadium and Lease of Parking Lots to the District," prepared jointly by the National Park Service (National Capital Region) and the District of Columbia Department of Public Works for site development and dated October 1986 (NPS drawing number 831/87284-A) and any other future additions thereto."

(c) Section 202 (D.C. Official Code § 10-1202.02) is amended as follows:

(1) Subsection (a) is amended by striking the phrase "Washington Convention Center Authority ("Authority")" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

"(b) Notwithstanding any other provisions of this act, the general purposes of the Authority are to:

"(1) Acquire, construct, equip, maintain, and operate the new convention center, in whole or in part, directly or under contract;

"(2) Promote, develop, and maintain the District as a location for convention, trade shows, and other meetings;

"(3) Engage in activities to promote trade shows, conventions, concerts, and other events related to activities at a facility of the Authority;

"(4) Consolidate the District's efforts in promoting and managing sporting and entertainment events;

"(5) Promote, develop, and maintain the District as a location for sporting events, sports teams, recreational events, film, television, and other motion picture productions, and entertainment events, directly or under contract;

## ENROLLED ORIGINAL

"(6) Develop, construct, and lease the ballpark in accordance with section 105 of the Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.05);

"(7) Encourage and support youth activities in the District, including by sponsoring sporting events for young athletes, attracting national collegiate championships to the District, and providing disadvantaged youths with opportunities to attend sporting events;

"(8) Exercise the non-military functions of the Armory Board and the Armory, including controlling the scheduling, rental, and promotion of the Armory and its adjacent facilities and leasing unused or vacant space in the Armory;

"(9) Exercise the non-regulatory functions of the Boxing and Wrestling Commission, including all advertising, promotion, and attraction of boxing, wrestling, and mixed martial arts events; and

"(10) Maintain and operate the old convention center site until such time as is considered appropriate by the Mayor."

(3) Subsection (d) is amended by striking the phrase "community." and inserting the phrase "community related to the new convention center."

(d) New sections 202a, 202b, 202c, and 202d are added to read as follows:

"Sec. 202a. Transfer of authority of the Armory Board.

"All references to the Armory Board in An Act To establish a District of Columbia Armory Board, and for other purposes, approved June 4, 1948 (62 Stat. 339; D.C. Official Code § 3-301 *et seq.*) ("Armory Board Act"), are deemed to be references to the Authority, and the Authority shall have such powers and responsibilities as are created by such references to the Armory Board in the Armory Board Act, unless the clear meaning requires otherwise.

"Sec. 202b. Transfer of authorities and functions of the District of Columbia Sports and Entertainment Commission; abolishment of the District of Columbia Sports and Entertainment Commission.

"(a)(1) All authorities and functions of the District of Columbia Sports and Entertainment Commission, established pursuant to the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), are transferred to the Authority, except that the maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary section of the Armory shall be transferred to the Office of Property Management.

"(2) The Authority and the Office of Property Management shall enter into a Memorandum of Agreement not later than 60 days before the beginning of each fiscal year that shall set forth the terms and conditions for the Office of Property management to maintain the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory, including the level of service and the procedures and timing for reimbursement to the Office of Property Management for its maintenance and upkeep services at the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory.

## ENROLLED ORIGINAL

“(b) The District of Columbia Sports and Entertainment Commission is abolished.

“Sec. 202c. Transfer of assets, rights, and obligations of the District of Columbia Sports and Entertainment Commission.

“(a)(1) Legal and equitable title to all real property, personal property, records, capital, and intangible assets of the District of Columbia Sports and Entertainment Commission shall transfer, vest, and be titled in the name of the Authority.

“(2) All unexpended balances of appropriations, allocations, income, and other funds available to the District of Columbia Sports and Entertainment Commission shall transfer to the Authority and shall be deposited in the Sports and Entertainment Fund.

“(3)(A) All lawful existing non-employment and non-employment-related contractual rights and obligations of the District of Columbia Sports and Entertainment Commission shall transfer to the Authority, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.

“(B) Notwithstanding subparagraph (A) of this paragraph, the rights of the District of Columbia Sports and Entertainment Commission under section 8.4 of the Lease Agreement, dated March 6, 2006, between the District of Columbia Sports and Entertainment Commission and the Baseball Expos, L.P., as may be amended, shall be assigned ½ to the Mayor and ½ to the Council.

“(4) No rights and obligations of employment or employment-related contracts of the District of Columbia Sports and Entertainment Commission, except for lawful rights and obligations of individual employment contracts, shall transfer to the Authority, which shall assume all rights, duties, liabilities, and obligations as a successor in interest.

“(5) All other existing rights and obligations, and all causes of actions of the District of Columbia Sports and Entertainment Commission shall transfer to the Authority.

“(b) No existing lawful contract or other lawful legal obligation of the District of Columbia Sports and Entertainment Commission transferred pursuant to subsection (a) of this section, shall be abrogated or impaired by the repeal of the Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), or the superceding of Mayor's Order 79-218, dated September 14, 1979, except for any obligation of the District of Columbia Sports and Entertainment Commission to the District of Columbia related to personnel expenses.

“(c) Other than with respect to the rights and obligations of employment and employment-related contracts of the District of Columbia Sports and Entertainment Commission not transferred pursuant to subsection (a)(4), nothing in section 201 or 202 shall impair the obligations, commitments, pledges, or covenants, or the security made or provided by the District of Columbia Sports and Entertainment Commission; provided, that the liability of the Authority with respect to any such obligation, commitment, pledge, covenant, or security made or provided by the District of Columbia Sports and Entertainment Commission shall be limited to the assets

## ENROLLED ORIGINAL

and property of the District of Columbia Sports and Entertainment Commission transferred pursuant to this section and any income derived from such assets.”.

(e) Section 203 (D.C. Official Code § 10-1202.03) is amended as follows:

(1) Paragraph (4) is amended by striking the phrase “employees,” and inserting the phrase “employees, advisors, consultants,” in its place.

(2) Paragraph (10) is amended by striking the word “contracts” and inserting the phrase “contracts, joint ventures, or other agreements ” in its place.

(3) New paragraphs (10A) through (10J) are added to read as follows:

“(10A) To maintain an office or offices at any location in the District;

“(10B) To establish standards for the use of and attendance at its facilities;

“(10C) To fix, revise, charge, and collect fees, rents, or other charges for the use of, or attendance at, its facilities and for services rendered in connection with the use of, or attendance at, its facilities;

“(10D) To manage parking lots, concessions, and other ancillary properties and services at facilities under its jurisdiction;

“(10E) To furnish such services to renters, lessees, and other occupants and users of its facilities as in its judgment is necessary or suitable for carrying out its purposes;

“(10F) To provide through its employees, or by the grant of one or more concessions, or both, for the furnishing of services and things for the accommodation of persons admitted to or using any of its facilities or portions of its facilities;

“(10G) To provide for the insurance of any property, operations, members of the Board of Directors, officers, agents, or employees of the Authority against any risk or hazard;

“(10H) To develop, construct, maintain, operate, acquire, own, equip, improve, rehabilitate, expand, and maintain convention, sports, entertainment, and recreation facilities in the District;

“(10I) To establish one or more nonprofit or for-profit subsidiaries to perform any of its functions under this act;

“(10J) To hold an ownership interest in, and operate, a professional sports team or team franchise on a temporary or permanent basis;”.

(4) Paragraph (12) is amended as follows:

(A) Strike the phrase “upon obtaining a license from the Alcoholic Beverage Control Board pursuant to section 10 of the District of Columbia Alcoholic Beverage Control Act, approved January 2, 1934 (48 Stat. 324; D.C. Official Code § 25-220), Title 25, or to permit others to sell or dispense, upon obtaining a license from the Alcoholic Beverage Control Board” and insert the phrase “or to permit others to sell or dispense” in its place.

(B) Strike the phrase “permitted;” and insert the phrase “permitted, including the hours and days during which the sale or dispensing of alcoholic beverages shall be made or shall be permitted;” in its place.

## ENROLLED ORIGINAL

(5) Paragraph (14) is amended by striking the phrase "Chief Financial Officer" and inserting the phrase "chief financial officer" in its place.

(f) Section 204(b) (D.C. Official Code § 10-1202.04(b)) is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(g) Section 205 (D.C. Official Code § 10-1202.05) is amended as follows:

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

(A) Paragraph (1) is amended by striking the number "9" and inserting the number "11" in its place.

(B) Paragraph (2) is amended by striking the number "7" and inserting the number "9" in its place.

(C) Paragraph (3) is amended as follows:

(i) Strike the number "7" and insert the number "9" in its place.

(ii) Strike the phrase "1 shall be from the hospitality industry" and insert the phrase "1 shall be from the hotel industry, 1 shall be from the restaurant industry," in its place.

(iii) Strike the number "5" and insert the number "6" in its place.

(iv) Strike the phrase "construction," and insert the phrase "construction, sports, entertainment," in its place.

(D) New paragraphs (4) and (5) are added to read as follows:

“(4) The members of the Board of Directors of the Washington Convention Center Authority serving on the effective date of the Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009, passed on 3<sup>rd</sup> reading on July 31, 2009 (Second Engrossed version of Bill 18-203) (“MAA”), shall become members of the Board of Directors of the Washington Convention and Sports Authority and shall serve the remainder of their terms and may be reappointed to full terms as members of the Board of Directors of the Washington Convention and Sports Authority.

“(5)(A) In addition to the members of the Board of Directors of the Washington Convention and Sports Authority serving pursuant to paragraph (4) of this subsection, the following 2 persons shall begin serving as public members on the Board of Directors of the Washington Convention and Sports Authority on the effective date of the MAA:

“(i) The person who was serving as vice chairman of the District of Columbia Sports and Entertainment Commission Board of Directors on May 12, 2009; and

“(ii) The President of the Hotel Association.

“(B) The 2 public members appointed pursuant to this paragraph shall serve 4-year terms and may be reappointed.

“(C) The wards of residence of the 2 public members appointed pursuant to this paragraph shall not be considered for the purposes of the restriction imposed by subsection (f) of this section”.

## ENROLLED ORIGINAL

(2) Subsection (e) is amended by striking the number "7" and inserting the number "9" in its place.

(3) Subsection (j) is amended as follows:

(A) Strike the word "Five" and insert the word "Six" in its place.

(B) Strike the phrase "District shall be" and insert the phrase "District with respect to the issuance of bonds and the adoption of budgets and financial plans, shall be" in its place.

(4) Subsection (k) is amended to read as follows:

"(k) Board members shall serve without compensation, except that Board members may be reimbursed for all reasonable and necessary expenses incurred while engaged in official duties of the Board."

(h) Section 206(a) (D.C. Official Code § 10-1202.06(a)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "the Existing Convention Center and the New Convention Center" and inserting the phrase "the new convention center and District sports and entertainment facilities," in its place.

(2) Paragraph (3) is amended by striking the phrase "the Existing Convention Center and the New Convention Center" and inserting the phrase "the new convention center and District sports and entertainment facilities" in its place.

(3) Paragraph (5) is amended by striking the phrase "for, a General Manager to the Existing Convention Center and New Convention Center" and inserting the phrase "for the Chief Executive Officer and General Manager" in its place.

(4) Paragraph (6) is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(i) Section 207 (D.C. Official Code § 10-1202.07) is amended as follows:

(1) The heading is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

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

(A) Strike the phrase "a General Manager" and insert the phrase "a Chief Executive Officer and General Manager" in its place.

(B) Strike the phrase "the New Convention Center and the Existing Convention Center" and insert the phrase "the new convention center, District sports and entertainment facilities, and the Authority" in its place.

(C) Strike the phrase "The General Manager" and insert the phrase "The Chief Executive Officer and General Manager" in its place.

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

"(a-1) The General Manager of the Washington Convention Center Authority serving on the effective date of the Washington Convention Center Authority and Sports and Entertainment Commission Merger Amendment Act of 2009, passed on 3<sup>rd</sup> reading on July 31, 2009 (Second

## ENROLLED ORIGINAL

Engrossed version of Bill 18-203), shall become the Chief Executive Officer and General Manager of the Authority.”.

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

(A) The lead-in text is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(B) Paragraph (4) is amended by striking the phrase "Existing Convention Center and New Convention Center bookings" and inserting the phrase "bookings, events, and productions for the new convention center and District sports and entertainment facilities" in its place.

(C) Paragraph (5) is amended by striking the phrase "Existing Convention Center and the New Convention Center" and inserting the phrase "Authority and its facilities" in its place.

(5) Subsection (c) is amended by striking the phrase "General Manager" and inserting the phrase "Chief Executive Officer and General Manager" in its place.

(j) Section 208 (D.C. Official Code § 10-1202.08) is amended as follows:

(1) The heading is amended by striking the word "Authority".

(2) Subsection (a) is amended by striking the phrase ""Washington Convention Center Authority Fund ("Fund")"" and inserting the phrase "Washington Convention Center Fund ("Convention Center Fund")" in its place.

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

(A) Strike the word "Fund" and insert the phrase "Convention Center Fund" in its place.

(B) Strike the phrase "District," and insert the phrase "District of Columbia, nor the Sports and Entertainment Fund," in its place.

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

(A) Strike the word "Fund" and insert the phrase "Convention Center Fund" in its place.

(B) Strike the phrase "New Convention Center" and insert the phrase "new convention center" in its place.

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

(A) Strike the phrase "deposit in the Fund" and insert the phrase "deposit in the Convention Center Fund" in its place.

(B) Strike the phrase "deposited in the Fund" and insert the phrase "deposited in the Convention Center Fund" in its place.

(6) Subsection (e) is amended as follows:

(A) Strike the phrase "secured by the Fund" and insert the phrase "secured by the Convention Center Fund" in its place.

(B) Strike the phrase "revenues in the Fund" and insert the phrase "revenues in the Convention Center Fund" in its place.

## ENROLLED ORIGINAL

(k) Section 208a (D.C. Official Code § 10-1202.08a) is amended as follows:

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

(A) Strike the phrase "for the payment of marketing service contracts".

(B) Strike the word "District" and insert the phrase "District and the hosting of sporting events, sports teams, recreational events, and entertainment events in the District" in its place.

(2) Subsection (c) is amended by striking the phrase "of the marketing service contracts" and inserting the phrase "the Authority shall allocate to the Marketing Fund" in its place.

(3) Subsection (d) is amended by striking the phrase "the marketing service contracts" and inserting the phrase "the marketing service contracts that the Authority may enter into" in its place.

(4) Subsection (e) is amended as follows:

(A) The lead-in text is amended by striking the phrase "contracts with the following entities" and inserting the phrase "a contract with" in its place.

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

(i) The lead-in text is amended by striking the phrase "The Washington, DC Convention and Tourism Corporation, pursuant to which the Washington, DC Convention and Tourism Corporation" and inserting the phrase "Destination, DC (formerly, the Washington, DC Convention and Tourism Corporation), pursuant to which Destination, DC" in its place.

(ii) Subparagraph (C) is amended by striking the phrase "Washington Convention Center Authority" and inserting the word "Authority" in its place.

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

"(e-1) The marketing service contracts may include contracts with:

"(1) The DC Chamber of Commerce, pursuant to which the DC Chamber of Commerce shall be designated as the primary contractor to promote participation by local, small, and minority businesses in the hospitality industry, especially through neighborhood and cultural tourism; and

"(2) The Greater Washington Hispanic Chamber of Commerce (formerly known as the Greater Washington Ibero American Chamber of Commerce), for the purpose of pursuit of special projects, as designated by the Authority."

(l) New sections 208b and 208c (to be codified at D.C. Official Code § 10-1202.08b and 10-1202.08c) are added to read as follows:

"Sec. 208b. Sports and Entertainment Fund.

"(a) There is established as a nonlapsing fund the Sports and Entertainment Fund, to be maintained by the Authority.

"(b)(1) There shall be deposited into the Sports and Entertainment Fund all monies remaining in the Sports and Entertainment Commission Fund, all revenues of the Authority

## ENROLLED ORIGINAL

derived from the District sports and entertainment facilities (except revenues derived from the Walter D. Washington Convention Center), all revenues of the Authority derived from other sports- and entertainment-related activities of the Authority, all interest earned on money in the Fund, and all other monies deposited pursuant to the laws of the District.

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

“(c) Monies in the Sports and Entertainment Fund shall be used to pay for the operating expenses of the Authority, including expenses incurred through contracts, and for the hosting of sports events, sports teams, recreational events, and entertainment events in the District.

“Sec. 208c. Sports Facilities Account.

“(a) There is established the Sports Facilities Account ("Account") as a nonlapsing account within the General Fund of the District of Columbia, which shall be used solely for the maintenance and upkeep of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory.

“(b)(1) In accordance with section 202b(a)(1), the Authority shall transfer from the Sports and Entertainment Fund established by section 208b to the Account an amount equal to the budget authority for maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory on October 1 of each year.

“(2) Funds deposited into the Account pursuant to this subsection shall be maintained in segregated sub-accounts associated with each revenue source, as the Chief Financial Officer determines to be necessary.

“(3) The funds deposited into the Account 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 maintenance and operation of the Robert F. Kennedy Memorial Stadium and the nonmilitary portion of the Armory without regard to fiscal year limitation, subject to authorization by Congress.”

(m) Section 209 (D.C. Official Code § 10-1202.09) is amended as follows:

(1) Strike the phrase "New Convention Center" and insert the phrase "new convention center" in its place.

(2) Strike the phrase "this act" and insert the phrase "this act or to finance, refinance, or assist in the financing or refinancing of the construction of, or capital improvements to, any District sports and entertainment facility" in its place.

(n) Section 210(a) (D.C. Official Code § 10-1202.10(a)) is amended by striking the phrase "the new convention center" and inserting the phrase "the construction of, or capital improvements to, the new convention center or a District sports or entertainment facility" in its place.

## ENROLLED ORIGINAL

(o) Section 211 (D.C. Official Code § 10-1202.11) is amended as follows:

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

(A) Strike the word "Assets" and insert the phrase "All property, assets," in its place.

(B) Strike the word "taxation" and insert the phrase "taxation and from any special assessments imposed by the District" in its place.

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

"(m) Bonds issued by the Authority, their transfer, and the interest on the bonds shall be exempt from District taxation, except for estate, inheritance, and gift taxation."

(p) Section 213(a) (D.C. Official Code § 10-1202.13(a)) is amended by striking the phrase "Authority exceeds" and inserting the phrase "Authority in the Convention Center Fund exceeds" in its place.

(q) Section 218(b) (D.C. Official Code § 10-1202.18(b)) is amended as follows:

(1) Paragraph (2) is amended by striking the phrase "Deputy Mayor for Operations (or successor officer) or the Deputy Mayor's" and inserting the phrase "City Administrator or the City Administrator's" in its place.

(2) Paragraph (4) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Authority" in its place.

(3) Paragraph (7) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Authority" in its place.

(r) Section 307 (D.C. Official Code § 10-1203.07) is amended as follows:

(1) The heading is amended by striking the word "Authority".

(2) Subsection (a) is amended by striking the word "Authority".

Sec. 2082. Conforming amendments.

(a) Section 2(e) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)), is amended as follows:

(1) Paragraph (12) is repealed.

(2) Paragraph (20) is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(b) Section 851(1)(I) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective April 20, 1999 (D.C. Law 12-260; D.C. Official Code § 1-608.51(1)(I)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(c) Section 202(5) of the Whistleblower Reinforcement Act of 1998, effective October 7, 1998 (D.C. Law 12-160, D.C. Official Code § 2-223.01(5)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

## ENROLLED ORIGINAL

(d) Section 320 of the District of Columbia Procurement Practices Act of 1985, effective April 12, 1997 (D.C. Law 11-259; D.C. Official Code § 2-303.20), is amended as follows:

(1) Subsection (e) is amended by striking the phrase "Washington Convention Center Board of Directors" and inserting the phrase "Washington Convention and Sports Authority or its Board of Directors" in its place.

(2) Subsection (f) is repealed.

(e) Section 1833(9) of the Economic Development Liaison Office Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-175; D.C. Official Code § 2-1203.02(9)), is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(f) Section 2(4) of the Tax Increment Financing Authorization Act of 1998, effective September 11, 1998 (D.C. Law 12-143; D.C. Official Code § 2-1217.01(4)), is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(g) Section 2(2) of the Retail Incentive Act, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71(2)), is amended by striking the phrase "Washington Convention Center Authority Fund" and inserting the phrase "Washington Convention Center Fund" in its place.

(h) The Robert F. Kennedy Memorial Stadium and District of Columbia National Guard Armory Public Safety Act, effective November 3, 1977 (D.C. Law 2-37; D.C. Official Code § 3-341 *et seq.*), is amended as follows:

(1) Section 4a(b) (D.C. Official Code § 3-343.01(b)) is amended as follows:

(A) Paragraph (1) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Paragraph (1A) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(2) Section 4b (D.C. Official Code § 3-343.02) is amended as follows:

(A) Subsection (a) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Subsection (b) is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(i) Section 3(b)(1)(F) of the Commission on Fashion Arts and Events Establishment Act of 2008, effective April 15, 2008 (D.C. Law 17-148; D.C. Official Code § 3-652(b)(1)(F)), is amended by striking the phrase "District of Columbia Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

## ENROLLED ORIGINAL

(j) The Omnibus Sports Consolidation Act of 1994, effective August 23, 1994 (D.C. Law 10-152; D.C. Official Code § 3-1401 *et seq.*), is repealed.

(k) Section 7(a)(6) of the Recreation Act of 1994, effective March 23, 1995 (D.C. Law 10-246; D.C. Official Code § 10-306(a)(6)), is amended to read as follows:

"(6) The Chief Executive Officer and General Manager of the Washington Convention and Sports Authority; and".

(l) Sections 3 and 4 of the Washington Convention Center Management Act of 1979, effective November 3, 1979 (D.C. Law 3-36; D.C. Official Code §§ 10-1271 and 10-1272), are repealed.

(m) The Ballpark Omnibus Financing and Revenue Act of 2004, effective April 8, 2005 (D.C. Law 15-320; D.C. Official Code § 10-1601.01 *et seq.*), is amended as follows:

(1) Section 105 (D.C. Official Code § 10-1601.05) is amended by adding a new subsection (g) to read as follows:

"(g) References in this section to the Sports and Entertainment Commission shall be deemed to refer to the Washington Convention and Sports Authority, as successor to the Sports and Entertainment Commission, unless the context clearly indicates otherwise."

(2) Section 202(b)(2) (D.C. Official Code § 10-1602.02(b)(2)) is amended by striking the phrase "Sports and Entertainment Commission" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(n) Title 25 of the District of Columbia Official Code is amended follows:

(1) Section 25-101(55) is repealed.

(2) Section 25-113(g)(1) is amended by striking the phrase "the Washington Convention Center,".

(3) Section 25-505 is amended as follows:

(A) The heading is amended by striking the phrase "and Washington Convention Center".

(B) The text is amended by striking the phrase "and for the Washington Convention Center".

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

(1) Section 47-368.01(a) is amended by striking the phrase "Sports and Entertainment Commission; Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(2) Chapter 20 is amended as follows:

(A) The table of contents is amended by striking the phrase "Sports and Entertainment Commission; Washington Convention Center Authority" and inserting the phrase "Washington Convention Sports Authority" in its place.

(B) Section 47-2002.03 is amended as follows:

## ENROLLED ORIGINAL

(i) The heading is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

(I) Strike the phrase "Washington Convention Center Authority" and insert the phrase "Washington Convention and Sports Authority ("Authority")" in its place.

(II) Strike the phrase "Washington Convention Center Authority Fund" and insert the phrase "Washington Convention Center Fund" in its place.

(3) Chapter 22 is amended as follows:

(A) The table of contents is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

(B) Section 47-2202.02 is amended as follows:

(i) The heading is amended by striking the phrase "Washington Convention Center Authority" and inserting the phrase "Washington Convention and Sports Authority" in its place.

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

(I) Strike the phrase "Washington Convention Center Authority" and insert the phrase "Washington Convention and Sports Authority ("Authority")" in its place.

(II) Strike the phrase "Washington Convention Center Authority Fund" and insert the phrase "Washington Convention Center Fund" in its place.

**Sec. 2083. Reporting requirement.**

The Washington Convention Center Authority shall conduct an operating and financial analysis related to the merger with the District of Columbia Sports and Entertainment Commission ("DCSEC"), and deliver to the Council by not later than September 30, 2009, a report and plan that includes the following:

- (1) The costs associated with the merger;
- (2) Any liabilities and obligations of DCSEC assumed by the new Authority; and
- (3) A plan to reduce expenses and increase revenues associated with DCSEC programs.

**SUBTITLE J. SOUTHWEST WATERFRONT REDEVELOPMENT TIMING**

**Sec. 2090. Short title.**

This subtitle may be cited as the "Southwest Waterfront Redevelopment Timing Emergency Act of 2009".

## ENROLLED ORIGINAL

Sec. 2091. Unless approved by the Council, by resolution, the closing for the conveyance of title of the Southwest Waterfront properties by the District, the disposition of which was approved by the Council in the Southwest Waterfront Third Revised Emergency Approval Resolution of 2008, effective December 16, 2008 (Res. 17-955; 56 DCR 744), shall not occur before October 1, 2010.

## SUBTITLE K. HOUSING PRODUCTION TRUST FUND

Sec. 2100. Short title.

This subtitle may be cited as the "Housing Production Trust Fund Emergency Amendment Act of 2009".

Sec. 2101. Section 3(b)(10) of the Housing Production Trust Fund Act of 1988, effective March 16, 1989 (D.C. Law 7-202; D.C. Official Code § 42-2802(b)(10)), is amended by striking the phrase "5%" and inserting the phrase ", beginning in fiscal year 2009, 10%" in its place.

## SUBTITLE L. HOUSING ASSISTANCE PAYMENT

Sec. 2110. Short title.

This subtitle may be cited as the "Housing Assistance Payment Clarification Emergency Amendment Act of 2009".

Sec. 2111. 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 304 (D.C. Official Code § 42-3403.04) is amended by adding a new subsection (a-1) to read as follows:

"(a-1) Administration. Housing assistance payments shall be administered by the Department of Housing and Community Development."

(b) Section 307 (D.C. Official Code § 42-3403.07) is amended as follows:

(1) Subsection (a-1) is amended by adding the phrase "and by the Department of Housing and Community Development" after the phrase "(Enrolled version of Bill 16-200)".

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

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

"(1) An amount not to exceed one-third of the funds deposited in the fund each fiscal year shall be used by the Office of the Chief Tenant Advocate to fund emergency housing and tenant relocation assistance;"

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

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

"(2) An amount not to exceed one-third of the funds deposited in the fund each fiscal year shall be used by the Department of Housing and Community Development as follows:"

## ENROLLED ORIGINAL

(ii) Subparagraph (B) is amended to read as follows:

"(B) For administration and delivery of housing assistance payments under section 304; and"

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

"(3) An amount not to exceed one-third of the funds annually collected in the fund each fiscal year shall be used by the Office of the Tenant Advocate for the annual administrative and operational purposes of the Office of the Tenant Advocate."

SUBTITLE M. TARGETED HOMEOWNER GRANT PROGRAM FUNDING

Sec. 2120. Short title.

This subtitle may be cited as the "Targeted Homeowner Grant Program Funding Emergency Amendment Act of 2009".

Sec. 2121. Section 11b(k) of the Historic Landmark and Historic District Protection Act of 1978, effective March 2, 2007 (D.C. Law 16-189; D.C. Official Code § 6-1110.02(k)), is amended as follows:

(a) Paragraph (2) is amended by striking the phrase "fiscal year, beginning from fiscal year 2006 through fiscal year 2010." and inserting the phrase "fiscal year." in its place.

(b) Paragraph (3) is amended by striking the word "applicable".

SUBTITLE N. RENTAL UNIT FEE AMENDMENT

Sec. 2130. Short title.

This subtitle may be cited as the "Rental Unit Fee Emergency Amendment Act of 2009".

Sec. 2131. Section 401 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3504.01), is amended as follows:

(a) The existing language is designated as subsection (a).

(b) The newly designated subsection (a) is amended as follows:

(1) Strike the figure "17" and insert the figure "\$21.50" in its place.

(2) Add the phrase "from the prior fiscal year" after the phrase "fees collected" the second time it appears.

(3) Strike the phrase "a special account" and insert the phrase "the fund established by subsection (b) of this section" in its place.

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

"(b) There is established as a nonlapsing fund the Office of the Chief Tenant Advocate Rental Accommodations Fee Fund ("Fund"). All funds deposited into the Fund, and any interest earned on those funds, shall not revert to the unrestricted fund balance of the General Fund of the District of Columbia at the end of a fiscal year, or at any other time, but shall be continually

## ENROLLED ORIGINAL

available for the uses and purposes set forth in this section without regard to fiscal year limitation, subject to authorization by Congress."

## SUBTITLE O. ABATEMENT OF NUISANCE PROPERTY FUND

Sec. 2140. Short title.

This subtitle may be cited as the "Abatement Property Nuisance Fund Emergency Amendment Act of 2009".

Sec. 2141. Section 1(b)(2) of An Act To provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, approved April 14, 1906 (34 Stat. 114; D.C. Official Code § 42-3131.01(b)(2)), is amended as follows:

(a) Strike the phrase "grants from any source" and insert the phrase "grants, donations, or restitution from any source" in its place.

(b) Strike the phrase "; and all other receipts" and insert the phrase "recoveries from enforcement action brought by the Office of the Attorney General on behalf of the District of Columbia or District of Columbia agencies for the abatement of violations of Chapters 1 through 16 of Title 14 of the District of Columbia Code of Municipal Regulations, excluding funds obtained through administrative proceedings; and all other receipts" in its place.

## SUBTITLE P. ELEVATOR MAINTENANCE STANDARDS AND LICENSING

Sec. 2150. Short title.

This subtitle may be cited as the "Elevator Maintenance Standards and Licensing Emergency Act of 2009".

Sec. 2151. Chapter 28 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) The table of contents for subchapter I-B is amended by adding a new part F-i to read as follows:

"Part F-i. Elevator Maintenance.

"47-2853.95. Scope of practice for elevator contractors, elevator mechanics, and elevator inspectors.

"47-2853.96. Eligibility requirements.

"47-2853.97. Certain representations prohibited.

"47-2853.98. Temporary license.

"47-2853.99. Fees; rules."

(b) Section 47-2853.04(a) is amended as follows:

(1) Paragraph (36) is amended by striking the phrase "; and" at the end.

(2) Paragraph (37) is amended by striking the period and inserting a semicolon in its place.

## ENROLLED ORIGINAL

(3) New paragraph (38),(39), and (40) are added to read as follows:

"(38) Elevator Mechanic;

"(39) Elevator Contractor; and

"(40) Elevator Inspector."

(c) Section 47-2853.06(d) is amended to read as follows:

"(d) There is established a Board of Industrial Trades consisting of 15 members, of whom 3 shall be plumbers licensed in the District, 2 shall be electricians licensed in the District, 2 shall be refrigeration and air conditioning mechanics licensed in the District, 2 shall be steam and other operating engineers licensed in the District, 2 shall be asbestos workers, one shall be an elevator mechanic licensed in the District, one shall be an elevator inspector licensed in the District, one shall be an elevator contractor licensed in the District, and one shall be a consumer member. The Board of Industrial Trades shall regulate the practice of plumbers, gasfitters, electricians, refrigeration and air conditioning mechanics, steam and other operating engineers, asbestos workers, elevator mechanics, elevator inspectors, except for those employed by the District of Columbia or by the Washington Metropolitan Area Transit Authority, and elevator contractors. The Board may establish bonding and insurance requirements, subcategories of licensure, education, and experience requirements for licensure, and other requirements."

(d) Section 47-2853.91 is amended to read as follows:

"§ 47-2853.91. Scope of practice for electricians.

"(a) For the purposes of this part, the term "electrician" means any person who designs, installs, maintains, alters, converts, changes, repairs, removes, or inspects electrical wiring, equipment, conductors, or systems in buildings or structures or on public and private space for the transmission, distribution, or use of electrical energy for power, heat, light, radio, television, signaling, communications, or any other purpose, except elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(b) This part shall not apply to an elevator contractor or mechanic licensed under part F-i of this subchapter if the elevator contractor or mechanic is performing work incidental to work licensed under part F-i of this subchapter."

(e) The lead-in text for section 47-2853.92(b) is amended to read as follows:

"An applicant for licensure as a journeyman electrician or a master electrician limited (low voltage) shall establish to the satisfaction of the Board of Industrial Trades that he or she has satisfactorily completed a class on Title 12C of the District of Columbia Municipal Regulations or equivalent code within 2 years prior to submittal of the application and has:"

(f) Subchapter I-B is amended by adding a new part F-i to read as follows:

"Part F-i. Elevator Maintenance.

"§ 47-2853.95. Scope of practice for elevator contractors, elevator mechanics, and elevator inspectors.

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

## ENROLLED ORIGINAL

"(1) "Elevator contractor" means any sole proprietor, firm, or corporation who, for compensation, engages in erecting, constructing, installing, altering, servicing, repairing, or performing tests of elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(2) "Elevator mechanic" means any individual who engages in erecting, constructing, installing, altering, servicing, repairing, or testing elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(3) "Elevator inspector" means any individual who engages in performing inspections of elevators, platform lifts, stairway chair lifts, manlifts, conveyors, escalators, dumbwaiters, material lifts, automated people movers, and other related conveyances.

"(b) This part shall not apply to an electrician licensed under part F of this subchapter if the work performed by the electrician is work for which he or she is licensed to perform under part F of this subchapter.

"§ 47-2853.96. Eligibility requirements.

"(a) An applicant for licensure as an elevator contractor shall establish to the satisfaction of the Board that the applicant:

"(1) Has in his or her employ individuals licensed under this part who perform the work described by the applicant in the application;

"(2) Has complied with the bonding and insurance requirements established by rule; and

"(3) Meets any other requirements established by rule.

"(b)(1) An applicant for licensure as an elevator mechanic shall establish to the satisfaction of the Board that the applicant:

"(A) Has passed the examination required by the Board; and

"(B) Meets any other requirements established by rule.

"(2) Until rules are promulgated pursuant to paragraph (1) of this subsection, the Board may issue a 2-year license to an applicant who has:

"(A) A certificate of completion of an apprenticeship program for elevator mechanic registered with the Bureau of Apprenticeship Training, U.S. Department of Labor, the District of Columbia Apprenticeship Council, or an equivalent state's apprenticeship council;

"(B) Worked as an elevator mechanic for 2 years in any combination of construction, maintenance, or repair without direct supervision and for an employer licensed to do business in the District, within the previous 3 years;

"(C) A valid license from a state having standards substantially equal to those of the District; or

"(D) Has passed the examination required by the Department of Consumer and Regulatory Affairs.

## ENROLLED ORIGINAL

"(c) An applicant for licensure as an elevator inspector shall establish to the satisfaction of the Board that the applicant:

"(1) Meets the requirements of this subchapter;

"(2) Meets the current ASME QEI-1, Standards for the Qualifications of Elevator Inspectors, or equivalent; and

"(3) Meets any other requirement established by rule.

"§ 47-2853.97. Certain representations prohibited.

"Unless licensed in accordance with this part, no person shall use the words or terms "elevator contractor," "elevator mechanic," "licensed elevator contractor," "licensed elevator mechanic," "elevator inspector," "licensed elevator inspector," or any words describing an elevator specialty licensed by the Board to imply that the person is authorized to perform the services of an elevator contractor, elevator mechanic, or elevator inspector in the District.

"§ 47-2853.98. Temporary license.

"In the event of emergency circumstances, the Board may, pursuant to rule, issue a temporary license for a period not to exceed 30 days.

"§ 47-2853.99. Fees; rules.

"(a) Notwithstanding any other provisions of this subchapter, including sections 47-2853.10 and 47-2853.11:

"(1)(A) The fee for the issuance, renewal, or reinstatement of a license under this part shall be \$260; provided, that this fee shall not apply to elevator mechanics employed by the Washington Metropolitan Area Transit Authority.

"(B) Application fees paid under this section shall not be refundable, even if the applicant withdraws his or her application for licensure, certification, or registration, or is found to be not qualified.

"(2)(A) All fees collected under this part shall be deposited in the General Fund of the District of Columbia.

"(b) On or before December 31, 2009, the Mayor, pursuant to Chapter 5 of Title 2, shall issue rules to implement the provisions of this part."

**SUBTITLE Q. ADVANCED METERING INFRASTRUCTURE IMPLEMENTATION  
AND COST RECOVERY AUTHORIZATION**

Sec. 2160. Short title.

This subtitle may be cited as the "Advanced Metering Infrastructure Implementation and Cost Recovery Authorization Second Emergency Act of 2009".

Sec. 2161. Definitions.

For purposes of this title, the term:

## ENROLLED ORIGINAL

(1) "Advanced Metering Infrastructure" or "AMI" means a system capable of providing 2-way communication with metering equipment to gather at least hourly energy consumption data on a daily basis for all customers.

"(2) "ARRA" means the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note).

"(3) "Commission" means the Public Service Commission.

"(4) "Customer" shall have the same meaning as set forth in section 101(12) of the Retail Electric Competition and Consumer Protection Act of 1999, effective May 9, 2000 (D.C. Law 13-107; D.C. Official Code § 34-1501(12)).

(5) "Electric company" shall have the same meaning as set forth in the fifteenth unnumbered paragraph, beginning "The term "electric company"", of section 8(1) of An Act Making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and fourteen, and for other purposes, approved March 4, 1913 (37 Stat. 976; D.C. Official Code § 34-207).

(6) "Meter Data Management System" means a system that provides a single data repository which can gather data from multiple metering systems and then supply that data to multiple applications such as billing, forecasting, customer service, system operation and maintenance.

(7) "Regulatory asset" means specific costs that a public utility may defer to its balance sheet and accrue earnings thereon at its authorized rate of return.

(8) "Smart Grid" means the installation of advanced technology to enhance the operation of the electric distribution and transmission system.

Sec. 2162. Authorization of Advanced Metering Infrastructure implementation (Smart Grid) and cost recovery.

(a) The electric company may implement an Advanced Metering Infrastructure for all consumers, provided, that the electric company obtains a sufficient amount of federal funds for AMI implementation under the ARRA. The sufficiency of the amount of the federal funds obtained shall be determined by the Commission. The Commission shall make a determination of the sufficiency of federal funds obtained within no more than 60 days after the receipt of notice from the electric company of the amount of federal funds awarded.

(b) The electric company may establish a regulatory asset for the costs, net of the amount of the ARRA funds received, including depreciation and amortization expense, incurred by the electric company between base rate cases for the implementation of Advanced Metering Infrastructure, including the amortization expense of the Meter Data Management System, the depreciation expense on the AMI meters, and the undepreciated net book costs of the meters replaced by the AMI meters. The regulatory asset shall accrue a return at the electric company's authorized rate of return on the balance in the regulatory asset.

## ENROLLED ORIGINAL

(c) The creation of a regulatory asset for Advanced Metering Infrastructure shall not affect the authority of the Commission to review the prudence of costs associated with implementation of AMI. In any Commission proceeding reviewing the costs, the electric company shall have the burden to prove that all of the costs have been prudently incurred.

(d) The electric company shall net any utility cost savings resulting from AMI deployment from the regulatory asset.

## SUBTITLE R. GET DC RESIDENTS TRAINING FOR JOBS NOW

Sec. 2170. Short title.

This subtitle may be cited as the "Get DC Residents Training for Jobs Now Emergency Act of 2009".

Sec. 2171. Establishment of evening, weekend, and summer adult technical career training program.

(a) The Mayor shall establish an evening, weekend, and summer adult technical career training program ("Program") for District residents in partnership with existing technical career training programs within 8 months of the effective date of this subtitle. The Program shall provide technical career training opportunities for adults during evening hours, weekends, and summer months. The Program shall be conducted at the following locations:

- (1) Phelps Architecture, Construction and Engineering High School;
- (2) The Academy for Construction and Design at Cardozo Senior High School;

and

- (3) The Hospitality Public Charter High School at Roosevelt High School.

(b) Part of the funding directed to support adult technical career training should be applied to cover the cost of operating these facilities beyond traditional school hours.

Sec. 2172. Targeted Program areas.

Priority for participation in the Program shall be given to District residents who reside in Neighborhood Investment Plan Target Areas, as described in section 4 of the Neighborhood Investment Act of 2004, effective March 30, 2004 (D.C. Law 15-131; D.C. Official Code § 6-1073).

Sec. 2173. Instructional expertise in implementation of the Program.

(a) The Mayor shall select certain entities to provide technical instruction and expertise to the Program. The entities shall include trade associations, professional groups, unions, nonprofit organizations, and other groups certified to provide adult technical career training.

(b) The University of the District of Columbia shall work in conjunction with the Hospitality Public Charter High School at Roosevelt High School, and in partnership with existing adult technical career training programs, to open the Hospitality Public Charter High

## ENROLLED ORIGINAL

School at Roosevelt High School for night, weekend, and summer classes and training as one component of the Program.

Sec. 2174. Sources of funding.

(a) The Mayor shall apply for grants and additional federal funding that may be available as part of the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 29 U.S.C. § 9201 *et seq.*) ("the Act"), to support the Program and may administer funds pursuant to the Act.

(b)(1) To qualify for funding made available pursuant to the Act, agencies, organizations, and other groups that will offer adult technical career training as part of the Program shall be required to create and submit competitive proposals that match current and future employment needs within the District as identified by the Mayor.

(2) Entities that have been previously certified by the Mayor for adult technical career training and who have an established success rate, as determined by the Mayor, shall be exempt from the requirements of paragraph (1) of this subsection.

(c) The Mayor shall apply for grants and additional federal funding that may be available as part of the Carl D. Perkins Career and Technical Education Improvement Act of 2006, approved August 12, 2006 (120 Stat. 683; 20 U.S.C. § 2301 *et seq.*).

(d) The Mayor shall apply for additional federal funding that may be available for technical career training in the form of competitive grants under the American Recovery and Reinvestment Act of 2009, approved February 17, 2009 (123 Stat. 115; 26 U.S.C. § 1, note).

Sec. 2175. Rules.

The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this subtitle. The proposed rules shall be submitted to the Council for a 30-day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess. If the Council does not approve or disapprove the proposed rules, in whole or in part, by resolution within this 30-day review period, the proposed rules shall be deemed approved.

SUBTITLE S. RENTAL HOUSING COMMISSION

Sec. 2180. Short title

This subtitle may be cited as the "Rental Housing Commission Enhancement Emergency Act of 2009".

Sec. 2181. Section 2009(c) of the Department of Housing and Community Development United Fund Establishment Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended as follows:

## ENROLLED ORIGINAL

- (a) Paragraph (12) is amended by striking the word "and" at the end.
- (b) Paragraph (13) is amended by striking the period at the end and inserting a semicolon in its place.
- (c) New paragraphs (14), (15), and (16) are added to read as follows:
  - "(14) To provide one-time funding for enhancements for the Rental Housing Commission;
  - "(15) To provide funding to support the housing needs of veterans; and
  - "(16) To provide funding to assist tenants evicted under section 501 of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01)."

Sec. 2182. Section 501(o) of the Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3505.01(o)), is amended as follows:

- (a) Paragraph (1)(B) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Housing and Community Development" in its place.
- (b) Paragraph (10) is amended by striking the phrase "Department of Human Services" and inserting the phrase "Department of Housing and Community Development" in its place.

#### SUBTITLE T. IMPLEMENTATION OF ECONOMIC DEVELOPMENT CAPITAL FUNDS

Sec. 2190. Short title.

This subtitle may be cited as the "Economic Development Capital Fund Implementation Plan Second Emergency Act of 2009".

Sec. 2191. Notwithstanding any prior appropriation and in accordance with the Fiscal Year 2010 Proposed Budget and Financial Plan submitted to the Congress, the amount of \$1.5 million from the Office of the Deputy Mayor for Planning and Economic Development's capital budget, allocated to the former Anacostia Waterfront Corporation capital subsidy project, number AWCO1C, shall be allocated to the O Street Market project, number EB410C, to be used for pre-development costs related to the O Street Market project.

Sec. 2192. (a) For fiscal year 2010, up to \$2.235 million in capital project, number EB402, Pennsylvania Avenue S.E. Properties, shall be utilized to support the Pennsylvania Avenue S.E. Great Streets project ("Pennsylvania Avenue").

(b)(1) In addition to the requirements of sections 443 and 444 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 777; DC Official Code §§ 1-204.43 and 1-204.44), funds shall not be encumbered, obligated, or expended for any Great Street project established by the Deputy Mayor for Planning and Economic Development

## ENROLLED ORIGINAL

receiving economic development capital funds in the District of Columbia, including Pennsylvania Avenue, without submitting to the Council the following:

(A) A spending plan for a proposed loan or grant over the amount of \$250,000;

(B) The loan or grant agreement; and

(C) A statement of financial need.

(2) The requirements of paragraph (1) of this subsection applies to all Great Streets projects established by the Deputy Mayor for Planning and Economic Development in the District of Columbia, irrespective of when economic development capital funds were allocated.

SUBTITLE U. THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT REDUCTION IN FORCE

Sec. 2200. Short title.

This subtitle may be cited as the "Economic Development Reduction in Force Emergency Act of 2009".

Sec. 2201. The Mayor shall implement a reduction in force for the Office of the Deputy Mayor for Planning and Economic Development as follows:

(1) Eliminate the Project Manager Advisor position (includes position numbers 00047656, 00045503, 00045810, and 00044904).

(2) Freeze the following positions:

(A) One Project Manager (position number 00046405);

(B) Two Special Assistants (position numbers 00046086 and 00042979); and

(C) One Paralegal Specialist (position number 00047368).

SUBTITLE V. BUSINESS IMPROVEMENT DISTRICT LITTER CLEANUP ASSISTANCE

Sec. 2210. Short title.

This subtitle may be cited as the "Business Improvement District Litter Cleanup Assistance Fund Establishment Emergency Amendment Act of 2009".

Sec. 2211. Section 6092 of the Business Improvement District Litter Cleanup Assistance Fund Establishment Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 1-325.111), is amended as follows:

(a) Subsection (b)(2) is amended by striking the word "Fund" and inserting the phrase "Fund and be available for use in the subsequent fiscal year" in its place.

(b) Subsection (c)(4) is amended as follows:

## ENROLLED ORIGINAL

- (1) Subparagraph (A) is amended by striking the word "or" at the end.
- (2) Subparagraph (B) is amended by striking the period at the end and inserting the phrase "; or" in its place.
- (3) A new subparagraph (C) is added to read as follows:  
"(C) A "Ward 4 BID Demonstration Project" as that term is used in section 8004(e)(3) of the Designated Appropriation Allocation Act of 2008, effective August 16, 2008 (D.C. Law 17-219; 55 DCR 7602)."

SUBTITLE W. DEPARTMENT OF SMALL AND LOCAL BUSINESS  
DEVELOPMENT AMENDMENT ACT

Sec. 2220. Short title.

This subtitle may be cited as the "Department of Small and Local Business Development Emergency Amendment Act of 2009".

Sec. 2221. The Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; D.C. Official Code § 1-301.181 *et seq.*), is amended as follows:

(a) Subsection 2(b) (D.C. Official Code § 1-301.181(b)) is amended to read as follows:

"(b) The Unit shall:

"(1) Conduct an audit and report on compliance related to real estate development transactions, agreements, or parcels ("projects") receiving government assistance, which were previously managed by the dissolved National Capital Revitalization Corporation and Anacostia Waterfront Corporation and placed under the management of the Office of the Deputy Mayor for Planning and Economic Development, pursuant to the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 17-138; D.C. Official Code § 2-1225.01 *et seq.*);

"(2) Monitor agency contracting and procurement activities to the extent those activities are related to the achievement of the goals set forth in section 2341 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.41) ("Act");

"(3) Review quarterly and annual reports required by sections 2350 and 2353 of the Act of each agency;

"(4) Monitor third-party contracting and procurement activities to the extent those activities are related to contracting with, and procuring from, certified business enterprises; and

"(5) Review any reports as may be required of third parties."

(b) Section 3 (D.C. Official Code § 1-301.182) is amended by adding a new subsection (c) to read as follows:

## ENROLLED ORIGINAL

"(c) In reviewing the annual report required by sections 2350 and 2353 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005, (D.C. Law 16-33; D.C. Official Code § 2-218.50 and 2-218.53), and the annual report, the Unit is authorized to look at any contracts, accounts, records, reports, findings, and all other papers, things, or property belonging to or in use by the District government and contractor."

(c) A new section 4a (D.C. Official Code § 1-301.184) is added to read as follows:

"Section 4a. Compliance review reporting requirements.

"(a) The Unit shall submit to the Council, within 60 days of the end of each quarter, the quarterly reports of each agency required by section 2353 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective October 20, 2005, (D.C. Law 16-33; D.C. Official Code § 2-218) ("Act"), and the quarterly reports of each government corporation required by section 2350(f) of the Act.

"(b) The Unit shall submit to the Council the following:

"(1) A summary of the information that each agency is required to submit pursuant to section 2353 of the Act and the information that each government corporation is required to submit pursuant to section 2350(f) of the Act, in a format that shows the cumulative progress of each agency's or government corporation's annual LSDBE contracting and procurement goals to date, and the actual dollar amount expended with each business enterprise for the current fiscal year; and

"(2) A list of all agencies and government corporations that have not submitted a report for that quarter with a detailed explanation of what actions were taken by the Department of Small and Local Business Development ("Development") to effectuate compliance with the reporting requirement.

"(3) A summary of the information that each contractor is required by the Auditor, in a format as prescribed by the Auditor; and

"(4) A list of all contractors that have not submitted a report with a detailed explanation of what actions were taken by the Department to effectuate compliance with the reporting requirement."

Sec. 2222. The Small, Local and Disadvantaged Business Enterprise Development and Assistance Act of 2005, effective October 20, 2005 (D.C. Law 16-33; D.C. Official Code § 2-218.01 *et seq.*), is amended as follows:

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

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

(A) Strike the phrase "the effective date of this subtitle " and insert the phrase "Department of Small and Local Business Development Amendment Act of 2009" in its place.

(B) Paragraph (2) is amended by striking the word "and" at the end.

## ENROLLED ORIGINAL

(C) Paragraph (3) is amended by striking the period and inserting a semicolon in its place.

(D) New paragraphs (4), (5), and (6) are added to read as follows:

"(4) The dollar amount actually expended with local, small, and disadvantaged business enterprises in construction and development projects;

"(5) The dollar amount actually expended with certified business enterprises in development projects as equity partners; and

"(6) The dollar amount actually expended with certified business enterprises for contracting and procurement of goods and services."

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

"(i) The District of Columbia Auditor shall review the annual report of each government corporation to determine whether the planned activities of the government corporation for the succeeding fiscal year are likely to enable the agency to achieve the requirements set forth in this section. The District of Columbia Auditor shall make recommendations on activities the government corporation should engage in to meet or exceed the requirements set forth in this section. The District of Columbia Auditor's recommendations shall be submitted to the government corporation, the Council, the Mayor, and the Department."

(3) Subsection (g)(1) is amended by striking the phrase "and volumes" and inserting the phrase ", volumes, and amounts" in its place.

(4) Subsection (j) is amended to read as follows:

(1) Strike the word "Commission" both times it appears and insert the word "Department" in its place.

(2) The last sentence is amended to read as follows:

"The Department's recommendations, if any, shall be submitted to the government corporation and the District of Columbia Auditor."

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

(1) Subsections (a) and (b) are amended to read as follows:

"(a) Each agency shall submit to the Department, within 30 days after the end of the quarter, a quarterly report listing each expenditure as it appears in the general ledger from the expendable budget of the agency during the quarter, which shall include:

"(1) The name of the vendor from which the goods or services were purchased;

"(2) The vendor identification number as it appears in the general ledger;

"(3) A description of the goods or services;

"(4) Whether the vendor was a certified Small Business Enterprise;

"(5) The funding source for the expenditure (local, federal, other, or capital);

"(6) The date of the expenditure;

"(7) The dollar amount of the expenditure; and

## ENROLLED ORIGINAL

"(8) The total expenditure on Small Business Enterprises and the percentage that the total expenditure on Small Business Enterprises is when compared to the total expenditure.

"(b) Each agency shall submit to the Department, within 30 days of the issuance of the Comprehensive Annual Financial Report, an annual report listing each expenditure as it appears in the general ledger from the expendable budget of the agency during the fiscal year which shall include:

"(1) The information required to be included in the quarterly reports (with calculations for the fiscal year);

"(2) A description of the activities the agency engaged in, including the programs required by this part, to achieve the goals set forth in section 2341; and

"(3) A description of any changes the agency intends to make during the succeeding fiscal year to the activities it engages in to achieve the goals set forth in section 2341."

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

(1) Strike the word "Department" both times it appears and insert the phrase "The District of Columbia Auditor" in its place.

(2) The last sentence is amended to read as follows:

"The District of Columbia Auditor's recommendations shall be submitted to the agency, the Council, and the Department."

(3) Subsection (e) is amended as follows:

(1) Strike the word "Commissions" both times it appears and insert the word "Department" in its place.

(2) The last sentence is amended to read as follows:

"The Department's recommendations, if any, shall be submitted to the agency and the Council."

(c) Section 2354 (D.C. Official Code § 2-218.54), is amended to read as follows:

"(a) Within 45 days of its receipt of the annual reports required by section 2353(b), the Department shall submit to the District of Columbia Auditor, through the Compliance Unit established by the Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; 55; D.C. Official Code § 1-301.181 *et seq.*), the following documents and information:

"(1) A copy of the annual reports required by section 2353; and

"(2) A chart listing the following information with respect to each agency for the current fiscal year:

"(A) The total budget of each agency;

"(B) The expendable budget of each agency;

## ENROLLED ORIGINAL

"(C) A description of each funding source, object class, object, or item that was excluded from the total budget of the agency in the Department's calculation of the expendable budget of the agency;

"(D) Each goal of the agency under section 2341 in percentage and dollar terms; and

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

"(b) Within 45 days of its receipt of the annual reports required by section 2350(g), the Department shall submit to the District of Columbia Auditor, through the Compliance Unit established by the Compliance Unit Establishment Act of 2008, effective June 13, 2008 (D.C. Law 17-176; 55 DCR 5390) a report containing the following information with respect to each government corporation for the current and prior fiscal years:

"(1) The expendable budget of the government corporation.

"(2) A list of all agencies and government corporations that have not submitted a report for that quarter with a detailed explanation of what actions were taken by the Department to effectuate compliance with the reporting requirement."

## SUBTITLE X. SMALL BUSINESS MICRO LOAN FUND ACT

Sec. 2230. Short title.

This subtitle may be cited as the "Small Business Micro Fund Emergency Amendment Act of 2009".

Sec. 2231. Section 2375 of the Small, Local, and Disadvantaged Business Enterprise Development and Assistance Act of 2007, effective September 18, 2007 (D.C. Law 17-20; D.C. Official Code § 2-218.75), is amended as follows:

(a) Subsection (a)(1) is amended by striking the phrase "and disadvantaged" and inserting the phrase "or disadvantaged" in its place.

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

"(2) To make a one-time grant in an amount of \$50,000 to provide operating support to a newly formed business association in Ward 3; and".

## SUBTITLE Y. LOCAL RENT SUPPLEMENT

Sec. 2240. Short title.

This subtitle may be cited as the "Local Rent Supplement Emergency Amendment Act of 2009".

Sec. 2241. The District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-201 *et seq.*), is amended as follows:

(a) Section 26a(b) (D.C. Official Code § 6-226(b)) is amended to read as follows:

## ENROLLED ORIGINAL

“(b) The Authority shall allocate the funds appropriated from the program annually toward project-based and sponsor-based voucher assistance, as described in section 26b, tenant-based assistance, as described in section 26c, and capital-based assistance, as described in section 26d.”.

(b) A new section 26d is added to read as follows:

“Sec. 26d. Capital-based assistance.

“Funds remaining in the Rent Supplement Fund at the end of any fiscal year that are not needed by the Authority to satisfy its current contractual obligations for project-based, sponsor-based, or tenant-based assistance, including any rent increase adjustments, shall be allocated for a reserve equal to \$5.88 million plus 2 months of program payment obligations for its then current contractual obligations, with all remaining funds to be allocated as capital gap financing for the construction or rehabilitation of housing units for which project-based or sponsor-based assistance was previously awarded as an operating subsidy. The funding shall be distributed in the form of construction or capital improvement grants. All units constructed or improved with funds allocated pursuant to this section shall comply with all applicable requirements promulgated by the Authority pursuant to sections 26a, 26b, and 26c.”.

## SUBTITLE Z. NEW COMMUNITIES FINANCIAL ASSISTANCE

Sec. 2250. Short title.

This subtitle may be cited as the "New Communities Financial Assistance Emergency Amendment Act of 2009".

Sec. 2251. New Communities grant and loan authority.

Section 1833(10) of the Economic Development Liaison Office Establishment Act of 1998, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 2-1203.02), is amended by striking the phrase "issue grants as may be necessary to implement only the human capital projects that are part of the New Communities Initiative" and inserting the phrase "issue grants or loans as may be necessary to implement projects that are part of the New Communities Initiative" in its place.

## SUBTITLE AA. DEPARTMENT OF EMPLOYMENT SERVICES ADULT TRAINING FUNDING.

Sec. 2260. Short title.

This subtitle may be cited as the "Adult Training Funding Emergency Act of 2009".

Sec. 2261. Use of local funds designated for adult training.

(a) No more than 5% of the budgeted amount approved for adult training in the Department of Employment Services ("DOES") shall be used for administration.

## ENROLLED ORIGINAL

(b) The DOES shall ensure that funding supports training for jobs that:

- (1) Currently exist in the District;
- (2) Are in emerging industries, in the District;
- (3) Offer career advancement; and
- (4) Are in industries that are hiring and that offer career advancement.

(c) Funding opportunities shall be open to the broadest range of District workforce development providers, not solely those under the Workforce Investment Act of 1998, approved August 7, 1998 (112 Stat. 936; 20 U.S.C. § 2822), or the Temporary Assistance to Needy Families program.

(d) The DOES shall require organizations that receive funding to demonstrate how the funds were utilized. The DOES shall require each organization that receives funding to report the number of residents placed in jobs, including:

- (1) Titles and job descriptions;
- (2) Starting wage;
- (3) Starting hours per week;
- (4) Starting benefits, if any;
- (5) The retention number after:
  - (A) Three months;
  - (B) Six months; and
  - (C) One year;
- (6) Wages after one year;
- (7) Hours of work per week after one year; and
- (8) Benefits, if any, after one year.

(e) The DOES shall encourage collaboration, particularly with organizations that offer adult literacy and multiple services, and shall give preference in funding to providers that apply for funding collectively and can demonstrate the ability to provide a wide range of job training services.

TITLE III. PUBLIC SAFETY AND JUSTICE  
SUBTITLE A. CONSUMER PROTECTION FUNDS ACT

Sec. 3001 Short title.

This subtitle may be cited as the "Consumer Protection Funds Emergency Act of 2009".

Sec. 3002. Section 28-3911 of the District of Columbia Official Code is amended as follows:

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

"(a)(1) There is established as a nonlapsing fund the District of Columbia Consumer Protection Fund ("Fund"), which shall be used for the purposes set forth in subsection (b) of

## ENROLLED ORIGINAL

this section with assets not to exceed \$3.4 million at any time. Any balance at any time in excess of \$3.4 million shall be deposited in the Emergency and Non-Emergency Number Telephone Calling Systems Fund, established by § 34-1802. The Fund shall consist of:

"(A) Sums as may be transferred to the Fund under a court order or judgment in an action brought pursuant to § 28-3909;

"(B) Gifts, grants, or cy pres payments made to support consumer protection activities by the Office of the Attorney General for the District of Columbia ("OAG");

"(C) Sums as may be recovered by the OAG under § 28-3909 by judgment or in settlement of claims; and

"(D) Beginning on October 1, 2009, the following percentages of any recovery from litigation brought by the OAG on behalf of the District or District agencies, other than a recovery governed by subparagraph (C) of this paragraph:

"(i) Five percent of a recovery under \$2 million;

"(ii) For a recovery between \$2 million and \$5 million, \$100,000 plus 2.5 % of any amount in excess of \$2 million; and

"(iii) For a recovery above \$5 million, \$175,000 plus 1% of any amount in excess of \$5 million.

"(2) For the purposes of this subsection, the term "recovery" shall include funds obtained through court determinations or through settlements of lawsuits in which OAG represents the District or District agencies, but shall not include:

"(A) Funds obtained through administrative proceedings in which OAG represents the District or District agencies; or

"(B) Funds obligated to another source or fund by court order, a settlement agreement, or District or federal law."

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

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

(c) The lead-in text to subsection (b) is amended by striking the phrase "Corporation Counsel" and inserting the phrase "OAG" in its place.

SUBTITLE B. E-911 AND CONSUMER PROTECTION FUND AMENDMENT  
ACT

Sec. 3010. Short title.

This subtitle may be cited as the "E-911 and Consumer Protection Fund Emergency Amendment Act of 2009".

## ENROLLED ORIGINAL

Sec. 3011. The Emergency and Non-Emergency Number Telephone Calling Systems Fund Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 34-1801 *et seq.*), is amended as follows:

(a) Section 603 (D.C. Official Code § 34-1802) is amended by adding a new subsection (b-2) to read as follows:

"(b-2) After October 1, 2010, no monies in the Fund shall be used to defray nonpersonal costs related to overhead, including energy, rentals, janitorial services, security, or occupancy costs. The Fund shall be used solely to defray technology and equipment costs directly incurred by the District of Columbia and its agencies and instrumentalities in providing a 911 system and direct costs incurred by wireless carriers in providing wireless E-911 service. The Fund shall not be used for any other purpose."

(b) Section 604a(b) (D.C. Official Code § 34-1803.01(b)) is amended by striking the phrase "as of May 15, 2007, for the fund set" and inserting the phrase "of \$3.4 million for the fund as set" in its place.

## SUBTITLE C. FEMS AND DOC HEADQUARTERS ACT

Sec. 3020. Short title.

This subtitle may be cited as the "FEMS and DOC Headquarters Second Emergency Act of 2009".

Sec. 3021. Relocation of headquarters for Fire and Emergency Medical Services Department and Department of Corrections.

(a) The headquarters of the Fire and Emergency Medical Services Department and the headquarters of the Department of Corrections shall not be relocated to or housed in the Patricia R. Harris Education Center and no funds shall be expended for those purposes.

(b) The Mayor shall develop a plan for the permanent relocation of the headquarters for the Fire and Emergency Medical Services Department and the Department of Corrections that shall:

- (1) Be submitted to the Council no later than March 1, 2010;
- (2) Be included in the Mayor's fiscal year 2011 budget and financial plan submission to the Council;
- (3) Include the proposed location for a headquarters for each agency or the location of a headquarters for both agencies;
- (4) Include the time line for relocating the headquarters;
- (5) Include the total costs for relocating the headquarters; and
- (6) Identify funding for relocating the headquarters.