



District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council Issues Law 18-98, “Chemotherapy Pill Coverage Act of 2009”
- Office of Documents and Administrative Issuances Issues Errata Notice Regarding Civil Infractions for Parking on a Snow Emergency Route
- Department of Health Adopts Regulations that Allow Practitioners to Issue Multiple Prescriptions for Controlled Substances Listed in Schedule II to Enable Patients to Receive 90-day Supplies of Medication
- Department of Employment Services Proposes Rules that Would Require District of Columbia Agencies to provide Paid Leave for Illness and Absences Associated with Domestic Violence and Sexual Abuse
- Department of Environment Proposes Regulations that Would Mandate Retail Establishments to Charge a Five Cent Fee (\$0.05) for each Disposable Carryout Bag Provided to a Customer

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

D.C. Office of Documents and Administrative Issuances (ODAI) publishes the *District of Columbia Register* (ISSN 0419-439X) every Friday under the authority of the *District of Columbia Documents Act*, D.C. Law 2-153, effective March 6, 1979 (25 DCR 6960). The policies which govern the publication of the *Register* are set forth in the Rules of the Office of Documents (25 DCR 9855). Copies of the Rules may be obtained from the Office of Documents and Administrative Issuances. Rulemaking documents are also subject to the requirements of the *D.C. Administrative Procedure Act*, D.C. Official Code, §§2-501 *et seq.*, as amended.

All documents published in the *Register* must be submitted in accordance with the applicable provisions of the Rules of the Office of Documents and Administrative Issuances. Documents which are published in the *Register* include (1) Acts and resolutions of the Council of the District of Columbia; (2) Notices of proposed Council legislation, Council hearings, and other Council actions; (3) Notices of public hearings; (4) Notices of final, proposed, and emergency rulemaking; (5) Mayor's Orders and information on changes in the structure of the D.C. government (6) Notices, Opinions, and Orders of D.C. Boards, Commissions and Agencies; (7) Documents having general applicability and notices and information of general public interest.

Deadlines for Submission of Documents for Publication

Effective October 1, 2009, ODAI will be accepting electronic documents for publication using a Web-based portal. To submit a document, obtain a username and password from your department's ODAI liaison. If you do not know your liaison, email ODAI at dcdocuments@dc.gov to request for your department's ODAI liaison. For guidelines on how to format and submit documents for publication, visit the website for the Office of the Secretary at www.os.dc.gov.

The deadline for receiving documents from D.C. Agencies, Boards, Commissions, and Public Charter schools is TUESDAY, NOON of the week of publication. The deadline for receiving documents from the D.C. Council is WEDNESDAY, NOON of the week of publication. If an official District government holiday falls on Monday or Friday, the deadline for receiving documents remains the same as outlined above. If an official District government holiday falls on Tuesday, Wednesday or Thursday, the deadline for receiving documents is one day earlier from the deadlines outlined above. To check the deadline for a specific week, refer to the Agency Calendar on the website for the Office of the Secretary at www.os.dc.gov.

Viewing the DC Register

Effective January 1, 2009, The Office of Documents and Administrative Issuances (ODAI) no longer accepts paid subscriptions to the *D.C. Register*. ODAI publishes the Register ONLINE every Friday on the website for the Office of the Secretary at www.os.dc.gov. Copies of the *Register* are also available for public review at each branch of the D.C. Public Library and in each Advisory Neighborhood Commission office. There are no restrictions on the republication of any portion of the *Register*. News services are encouraged to publish all or part of the *Register*.

Legal Effect of Publication - Certification

Except in the case of emergency rules, no rule or document of general applicability and legal effect shall become effective until it is published in the *Register*. Publication creates a rebuttable legal presumption that a document has been duly issued, prescribed, adopted, or enacted and that the document complies with the requirements of the *D.C. Documents Act* and *D.C. Administrative Procedure Act*. The Director of the Office of Documents hereby certifies that this issue of the *Register* contains all documents required to be published under the provisions of the *D. C Documents Act*

DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

RM 520 – 441 4th ST, ONE JUDICIARY SQ. - WASHINGTON, D.C. 20001 - (202) 727-5090

ADRIAN M. FENTY
MAYOR

ANDREA A. GARVEY
ADMINISTRATOR

PERIODICAL POSTAGE PAID AT WASHINGTON, D.C.
POSTMASTER: Send address changes to D.C. Register, Room 520, 441 - 4th St., N.W., Washington, D.C. 20001

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA**D.C. LAWS**

Law 18-89, "Personal Mobility Device for Persons with Disabilities Temporary Amendment Act of 2009"	001161
Law 18-90, "Reinstated Nonprofit Corporation Contract Ratification Temporary Amendment Act of 2009"	001162
Law 18-91, "University of the District of Columbia Board of Trustees Quorum Temporary Amendment Act of 2009"	001163
Law 18-92, "University of the District of Columbia Procurement Authority Temporary Amendment Act of 2009"	001164
Law 18-93, "Private Fire Hydrant Responsibility Temporary Act of 2009"	001165
Law 18-94, "Public Assistance Amendment Act of 2009"	001166
Law 18-95, "Unemployment Compensation Extended Benefits Amendment Act of 2009"	001167
Law 18-96, "Studio Theatre Housing Production Tax Exemption and Equitable Tax Relief Act of 2009"	001168
Law 18-97, "Kelsey Gardens Redevelopment Project Real Property Limited Tax Abatement Assistance Act of 2009"	001169
Law 18-98, "Chemotherapy Pill Coverage Act of 2009"	001170

D.C. ACTS

Act 18-284, "Old Morgan School Place, N.W. Renaming Emergency Amendment Act of 2010" [Bill 18-607]	001171 - 001172
Act 18-285, "National Guard Tuition Assistance Clarification Emergency Amendment Act of 2010" [Bill 18-609]	001173 - 001174
Act 18-286, "Heights on Georgia Avenue Tax Exemption Act of 2010" [Bill 18-45]	001175 - 001177

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

D.C. ACTS CONT'D

Act 18-287, "WMATA Compact Amendment Act of 2010"
 [Bill 18-81]001178 - 001180

Act 18-288, "State Board of Education License Plate
 Amendment Act of 2010" [Bill 18-128]001181 - 001182

Act 18-289, "51st State Commission Establishment
 Act of 2010" [Bill 18-177]001183 - 001185

Act 18-290, "Park Place at Petworth, Highland Park, and Highland
 Park Phase II Economic Development Act of 2010" [Bill 18-231].....001186 - 001188

Act 18-291, "Affordable Housing Opportunities Residential
 Rental Project Property Tax Exemption and Equitable
 Real Property Tax Relief Act of 2010" Bill 18-281]001189 - 001190

Act 18-292, "Advisory Neighborhood Commission Vacancy
 Amendment Act of 2010" [Bill 18-324]001191 - 001192

Act 18-293, "District of Columbia Housing Authority Board of
 Commissioners Amendment Act of 2010" [Bill 18-458]001193 - 001194

Act 18-294, "Arthur Capper/Carrollsborg Public Improvements
 Revenue Bonds Amendment Act of 2010" Bill 18-475]001195 - 001200

Act 18-295, "High Technology Commercial Real Estate
 Database and Service Providers Tax Abatement Act of
 2010" [Bill 18-476].....001201 - 001204

Act 18-296, "Hospital and Medical Services Corporation
 Regulatory Temporary Amendment Act of 2010" [Bill 18-568].....001205 - 001210

Act 18-297, "Agreements Between the District of Columbia and
 Boys and Girls Club of Greater Washington Temporary
 Approval Act of 2010" [Bill 18-574]001211 - 001212

Act 18-298, "Prevention of Child Abuse and Neglect Temporary
 Amendment Act of 2010" [Bill 18-578]001213 - 001214

Act 18-299, "Abe Pollin City Title Championship and Title
 Trophy Designation Temporary Act of 2010" [Bill 18-582]001215 - 001216

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

COUNCIL HEARINGS CONT'D

Act 18-300, "Executive Grant-Making Authority Limitation
 Temporary Act of 2010" [Bill 18-585]001217 - 001218

Act 18-301, "Unauthorized Contract Stop Payment
 Temporary Act of 2010" Bill 18-587]001219 - 001221

Act 18-302, "Anacostia River Clean Up and Protection
 Clarification Temporary Amendment Act of 2010" [Bill 18-589]001222 - 001223

Act 18-303, "Department of Parks and Recreation Advertisement
 Authority Emergency Amendment Act of 2010" [Bill 18-606]001224 - 001225

COUNCIL HEARINGS

Notice of Public Hearings

B18-564, "Healthy Schools Act of 2009"
 (Joint) (Revised /Abbreviated) (Feb 10)..... 001226

B18-605, "Pre-K Acceleration and Clarification Amendment
 Act of 2010" (Mar 31) 001227

B18-610, "Omnibus Procurement Reform Amendment
 Act of 2010" (March 23) 001228

B18-635, "Procurement Reform Act of 2010" (Mar 23) 001228

Notice of Public Oversight Roundtables –

"Continuing Overtime and Pay Problems in the Fire and Emergency
 Medical Services Department" (Feb 17)..... 001229

Notice of Public Roundtable –

PR18-662, "District of Columbia Taxicab Commission Paul Cohn
 Confirmation Resolution of 2009"001230 - 001231

PR18-663, "District of Columbia Taxicab Commission I. Raj Pahwa
 Confirmation Resolution of 2009"001230 - 001231

PR18-664, "District of Columbia Taxicab Commission Ralph Burns
 Confirmation Resolution of 2009"001230 - 001231

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA CONT'D

BILLS INTRODUCED AND PROPOSED RESOLUTIONS

Notice of Consideration of Temporary Legislation –

Bills 18-630, 18-634, 18-638, 18-641, 18-643,
18-645, and 18-647,.....001232

Notice of Intent to Act on New Legislation –

Bills 18-627, 18-628, 18-631, and 18-635 and Proposed Resolutions
18-696 thru 18-698, 18-700, 18-703 and 18-705.....001233 - 001234

OTHER COUNCIL ACTIONS

Notice of Reprogramming Requests

Reprog. 18-93: Request to Reprogram \$701,826.27 of FY 2010
Special Purpose Revenue Funds budget authority within the
Department of the Environment001235

Reprog.18-94: Request to reprogram \$1,045,762 of FY 2010
Local funds budget authority within the Department of
Corrections (DOC)001235

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage Regulation Admin. –
Hill Country - ANC 6C (Re-Advertise)..... 001236
Hill Country - ANC 6C (Rescind) 001237
Standard - ANC 1B 001238

FINAL RULEMAKING

Office of Documents and Administrative Issuances – ERRATA Notice to
Correct Text in 18 DCMR (Vehicles and Traffic), Chapter 26
(Civil Fines for Moving and Non-Moving Infractions), Section 2601
“Parking and Other Non-Moving Infractions”, Subsection 2601.1..... 001239

Department of Health – Amend 22 DCMR (Public Health & Medicine)
Chapter 13 (Prescriptions and Distribution) Sec. 1306.2 to Allow a
Practitioners to Issue Multiple Prescriptions for Controlled Substances
Listed in Schedule II to Enable a Patient to Receive 90-day Supply.....001240 - 001241

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

FINAL RULEMAKING CONT'D

Zoning Commission – Z.C. Order 09-11 to Amend 11 DCMR (Zoning) to Permit Certain Retail and Service Uses on below the ground floors of SP-2 Zoned Properties Located South of M Street, N.W. and N.E.; Amends Ch. 5 (Special Purpose Districts) to Add Sec. 518 “Retail and Service Uses (Sp-2)”, Ch. 21(Off-Street Parking Requirements), § 2101.1, and Ch. 31 (Board of Zoning Adjustment Rules of Practice and Procedure), Sec. § 3104.1001242 - 001245

PROPOSED RULEMAKING

Employment Services, Department of – Amend 7 DCMR (Employment Benefits), To Add Chapter 32 (Accrued Safe and Sick Leave); Incorporates comments from previously published Rulemaking 001246 - 001257

Employment Services, Department of – Amend 7 DCMR (Employment Benefits), Chapter 32 (Accrued Safe and Sick Leave) to adopt a New section 3218: HARDSHIP EXEMPTION which Requires the District of Columbia to provide Paid Leave for Illness and Absences Associated with Domestic Violence and Sexual Abuse001258 - 001259

Environment, District Department – Amend 21 DCMR (Water and Sanitation) To Add Chapter 10 (Retail Establishment Carryout Bags); Proposes Regulations that Mandate Retail Establishments to Charge a five cent fee (\$0.05) for each Disposable Carryout Bag Provided to a Customer001260 - 001269

Taxicab Commission, DC – See Emergency Rulemaking Section

Zoning Commission – Z .C. Case No. 09-13 to Amend 11 DCMR (Zoning), Chapter 31(Board of Zoning Adjustment Rules of Practice and Procedure), § 3113 and to add § 3118 to allow the Board of Zoning Adjustment to Decide certain types of Applications without a Hearing001270 - 001272

EMERGENCY RULEMAKING

Taxicab Commission, DC – Amend 31 DCMR (Taxicabs & Public Vehicles For Hire), Chapter 6 (Taxicab Parts and Equipment), Section 601. to Allow SUV taxicabs to continue to operate in the District of Columbia for One year001273 - 001274

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

**NOTICES, OPINIONS AND ORDERS
MAYOR'S ORDERS**

2010-23	Appointment – Interim Director, Department of Youth Rehabilitation Services.....	001275
2010-24	Allocation of Spending (FY 2010)	001276 - 001277
2010-25	Implementation of Spending Controls for All Subordinate Executive Branch Agencies.....	001278
2010-26	Appointment – Interim Director, District Department of the Environment	001279

**NOTICES, OPINIONS AND ORDERS CONT'D
BOARDS, COMMISSIONS, AND AGENCIES**

Capital City Public Charter School - Request for Proposals - Equipment, Furnishings, & Services –	001280
Consumer and Regulatory Affairs, Dept. of – Scheduled Meeting Board for the Condemnation of Insanitary Buildings.....	001281
Disability Services, Dept on – General Meeting D.C. State Rehabilitation Council (SRC)	001282
Office of Documents – See ERRATA Notice in the Final Rulemaking section.	
Elsie Stokes PCS - Request for Proposal - Strategic Planning Consultant	001283
Environment, Dept of – Intent to Issue Permits General Services Administration	001284
Health Care Finance, Department of – Public Meeting Pharmacy and Therapeutics Committee	001285
State Superintendent of Education, Office of – Public Charter School Credit Enhancement Fund Committee Meeting	001286
Young America Works PCS – Request for Proposals – Operations Support –	001287
YouthBuild Public Charter School – RFP Real Estate Development & Project Management Services	001288

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

NOTICES, OPINIONS AND ORDERS CONT'D

BOARDS, COMMISSIONS, AND AGENCIES CONT'D

Zoning Commission – 12-Month Schedule of Monthly Meeting Dates.....001289

Zoning Commission – Orders

Z.C. Case No. 08-32 (Time Extension - Howard University
Central Campus Plan).....001290 - 001291

Z.C. Case No. 09-11 (Text Amendments to Permit Retail
& Service Uses by Special Exception in Special
Purpose-2 (SP-2) Districts)..... 001292