

District of Columbia

REGISTER

HIGHLIGHTS

- D.C. Council enacts Act 21-462, Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016
- D.C. Council passes Resolution 21-551, Sale to Minors Penalty Clarification Congressional Review Emergency Declaration Resolution of 2016
- D.C. Council passes Resolution 21-553, School Attendance Clarification Congressional Review Emergency Declaration Resolution of 2016
- Department of Energy and Environment solicits public comments on the Climate Ready DC Plan
- Office of the Deputy Mayor for Planning and Economic Development schedules a meeting on economic strategy
- Department of Small and Local Business Development announces funding availability for the revised DC Main Streets Program
- Office of the State Superintendent of Education announces funding availability for the Dual Enrollment Partnership Grants

DISTRICT OF COLUMBIA REGISTER

Publication Authority and Policy

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DISTRICT OF COLUMBIA OFFICE OF DOCUMENTS AND ADMINISTRATIVE ISSUANCES

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

MURIEL E. BOWSER
MAYOR

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ADMINISTRATOR

CONTENTS

ACTIONS OF THE COUNCIL OF THE DISTRICT OF COLUMBIA

D.C. ACTS

A21-448 Gas Station Advisory Board Emergency Amendment Act of 2016 [B21-808] 009813 - 009814

A21-449 Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2016 [B21-783] 009815 - 009816

A21-450 Contract No. CW42132 Approval and Payment Authorization Emergency Act of 2016 [B21-794] 009817 - 009818

A21-451 Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Act of 2016 [B21-795] 009819 - 009820

A21-452 Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2016 [B21-798] 009821 - 009822

A21-453 Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-01338 Approval and Payment Authorization Emergency Act of 2016 [B21-799] 009823 - 009824

A21-454 Modifications to Contract No. DCKA-C-2013-0007 Approval and Payment Authorization Emergency Act of 2016 [B21-800] 009825 - 009826

A21-455 Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016 [B21-810]..... 009827 - 009828

A21-456 Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016 [B21-796] 009829 - 009830

A21-457 Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016 [B21-797] 009831 - 009832

A21-458 Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2016 [B21-801] 009833 - 009834

A21-459 Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Act of 2016 [B21-802] 009835 - 009836

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

D.C. ACTS CONT'D

A21-460 Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2016 [B21-803] 009837 - 009838

A21-461 Grocery Store Restrictive Covenant Prohibition Emergency Act of 2016 [B21-805] 009839 - 009840

A21-462 Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016 [B21-807] 009841 - 009842

A21-463 Fiscal Year 2017 Budget Support Emergency Act of 2016 [B21-812] 009843 - 009983

RESOLUTIONS

Res 21-551 Sale to Minors Penalty Clarification Congressional Review Emergency Declaration Resolution of 2016..... 009984 - 009985

Res 21-552 Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2016.....009986

Res 21-553 School Attendance Clarification Congressional Review Emergency Declaration Resolution of 2016..... 009987 - 009989

Res 21-554 Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2016.....009990

Res 21-573 Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2016..... 009991 - 009992

Res 21-576 Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2016.....009993

Res 21-577 Public Charter School Board Donald Soifer Confirmation Emergency Declaration Resolution of 2016..... 009994 - 009995

Res 21-579 Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Declaration Resolution of 2016..... 009996 - 009997

Res 21-580 Interior Design Charitable Event Regulation Emergency Declaration Resolution of 2016..... 009998 - 009999

Res 21-582 First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Approval Emergency Declaration Resolution of 2016..... 010000 - 010001

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES

PUBLIC HEARINGS

Alcoholic Beverage Regulation Administration -

- Café 8 - ANC 6B - Change of Hours010002
- District Taco - ANC 6B - Sidewalk Cafe.....010003
- S.E. Market - ANC 6B - Change of Hours - READVERTISEMENT010004
- S.E. Market - ANC 6B - Change of Hours - RESCIND010005

Education, Office of the Deputy Mayor for -

- Surplus Resolutions Pursuant To D.C. Official Code §10-801
- PR Harris School Building - August 9, 2016 010006

Energy and Environment, Department of -

- Notice of Public Hearing and Solicitation of Public Comment -
- Draft Revised Total Maximum Daily Loads for Organochlorine
- Pesticides and Polychlorinated Biphenyls for Small Tributaries in
- Rock Creek and Potomac River Watersheds in the District of Columbia.....010007 - 010008

Zoning Commission - Cases -

- 16-07 W-G 9th & O, LLC010009 - 010011
- 16-10 EAJ 400 Florida Avenue, LLC.....010012 - 010014

FINAL RULEMAKING

Behavioral Health, Department of - Amend 29 DCMR

- (Public Welfare), to repeal Ch. 23 (Certification Standards
- for Substance Abuse Treatment Facilities and Programs);
- Chapter was replaced by Ch. 63 (Certification Standards for
- Substance Use Disorder Treatment and Recovery Providers)
- of 22 DCMR (Health), Subtitle A (Mental Health)..... 010015

Contracting and Procurement, Office of - Amend 27 DCMR

- (Contracts and Procurement), Ch. 41 (Use of District Property
- and Sources by Contractors), Sections 4100 - 4104, 4106, 4107,
- 4109 - 4111, 4113, 4114, and Sec. 4199, to update regulations
- that apply to contractor use of District supply sources and property010016 - 010026

Health Care Finance, Department of - Amend 29 DCMR

- (Public Welfare), Ch. 19 (Home and Community-Based
- Services Waiver for Individuals with Intellectual and
- Developmental Disabilities), Sec. 1919 (Behavioral Support
- Services) and Sec. 1999 (Definitions), to establish reimbursement
- guidelines for behavioral support services010027 - 010038

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

FINAL RULEMAKING CONT'D

Motor Vehicles, Department of - Amend 18 DCMR
 (Vehicles and Traffic), Ch. 1 (Issuance of Driver Licenses),
 Sec. 114 (Limited Purpose Driver License, Learner Permit,
 Provisional Permit or Identification Card), to give the
 Director the authority to add documents required for
 establishing residency010039 - 010040

PROPOSED RULEMAKING

Energy and Environment, Department of - Amend 20 DCMR
 (Environment), to add Ch. 41 (Electronic Waste),
 Sections 4100 - 4104 and Sec. 4199, to establish standards
 for electronic waste010041 - 010051

Zoning Commission - Case No. 16-08 to Amend 11 DCMR
 (Zoning Regulations of 2016), Subtitle U (Use Permissions),
 Ch. 3 (Use Permissions Residential Flats (RF) Zones),
 Sec. 301 (Matter-of-Right Uses (RF)), to identify the
 circumstances that a multiple dwelling in Squares 2580, 2581,
 2582, 2583, 2584, 2586W, 2587, or 2589 will be deemed a
 matter-of-right use in the RF zone and the circumstances
 under which the building may be expanded..... 010052 - 010053

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

2016-096 Appointment – Acting Director, Department of For-Hire
 Vehicles (Ernest Chrappah) 010054

2016-097 Appointments – Rental Housing Commission
 (Michael Spencer and Diana Epps)..... 010055

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

Alcoholic Beverage Regulation Administration -
 ABC Board's Calendar - August 3, 2016010056 - 010057
 ABC Board's Investigative Agenda - August 3, 2016..... 010058
 ABC Board's Licensing Agenda - August 3, 2016.....010059 - 010060

Asian and Pacific Islander Affairs, Office on -
 Commission on Asian and Pacific Islander Affairs Meeting -
 July 19, 2016..... 010061

Bridges Public Charter School - Request for Proposals -
 Temporary Staffing Services..... 010062
 Transportation Services..... 010063

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

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

Carlos Rosario Public Charter School - Request for Quotes -
Laptops 010064

Child and Family Services Agency -
Mayor’s Advisory Committee on Child Abuse and Neglect -
Meeting - July 26, 2016..... 010065

Disability Rights, Office of -
DC Commission on Persons with Disabilities Meeting - July 28, 2016 010066

Education, Office of the State Superintendent of - Notice of Funding Availability -
Dual Enrollment Partnership Grants 010067
Fiscal Year 2017 DC Environmental Literacy Advancement Grant..... 010068
Fiscal Year 2017 Farm Field Trip Grant 010069

Energy and Environment, Department of - Intent to Issue Permits -
7112, Wardman Hotel LLC,
7113, Washington Marriott Wardman Park,
7114 2660 Woodley Road NW.....010070 - 010072

Energy and Environment, Department of - Solicitation of Public Comment -
Climate Ready DC Plan010073 - 010074

Excel Academy Public Charter School - Invitation for Bids -
Special Education Provider Services, Legal Services, Special
Education Legal Services, School Leadership/Administrative
Staffing Services, and Instructional Staffing Services 010075

Special Education Services 010076

Health, Department of -
Board of Medicine Meeting - July 27, 2016 010077

DC Board of Long-Term Care Administration - Notice of
a Rescheduled Meeting - August 4, 2016 010078

DC Board of Respiratory Care - Notice of a New
Meeting Schedule for August, October, and December 2016..... 010079

DC Board of Social Work - Notice of a Rescheduled Meeting -
August 1, 2016 010080

Human Resources, Department of -
Excepted Service Employees - As of May 19, 2016.....010081 - 010100

ACTIONS OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES CONT'D

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

Planning and Economic Development, Office of the Deputy Mayor for -
Public Meeting Regarding Economic Strategy - August 9, 2016010101

Public Service Commission - Notice of Proposed Tariff -
Gas Tariff 00-2, In the Matter of Washington Gas Light
Company's Rights-of-Way Surcharge General
Regulations Tariff, P.S.C.-D.C. No. 3.....010102 - 010103

Secretary, Office of the -
Recommendations for Appointments as DC Notaries Public -
Effective September 1, 2016010104 - 010110

Sentencing and Criminal Code Revision Commission, D.C. -
D.C. Sentencing Commission - 2016-2017 Meeting Schedule..... 010111

Small and Local Business Development, Department of -
Revised Notice of Funding Availability - DC Main Streets
Program (Eastern Market and Columbia Heights/Mount Pleasant
Target Areas).....010112 - 010113

Washington Convention and Sports Authority (t/a Events DC) -
Notice of Public Meeting - August 11, 2016 010114

Zoning Adjustment, Board of - Cases -
19219 2001 2nd St. NE, LLC - ANC 5E - Order010115 - 010117
19270 3636 Woodner, LP and Rock Creek Plaza-Woodner, LP -
ANC 1D - Order010118 - 010121
19313 Emmanuel Baptist Church - ANC 8B - Order010122 - 010125
19317 Travis Gordon - ANC 2F - Order010126 - 010129

Zoning Adjustment, Board of -
Closed Meetings for September 2016 010130

Zoning Commission - Case -
06-14D MidAtlantic Realty Partners, LLC - Notice of Filing010131

ENROLLED ORIGINAL

AN ACT
D.C. ACT 21-448

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To amend, on an emergency basis, the Retail Services Station Act of 1976 to provide that certain prohibitions to discontinuing or converting to another use a full service retail service station shall not apply to a retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Gas Station Advisory Board Emergency Amendment Act of 2016”.

Sec. 2. Section 5-301(b) of the Retail Services Station Act of 1976, effective April 19, 1977 (D.C. Law 1-123; D.C. Official Code § 36-304.01(b)), is amended as follows:

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

(b) The newly designated paragraph (1) is amended by striking the phrase “No retail station” and inserting the phrase “Except as provided in paragraph (2) of this subsection, no retail station” in its place.

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

“(2) This subsection shall not apply to any retail service station for which an application was on file with the Zoning Commission between May 2, 2015, and August 1, 2015.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia

UNSIGNED

Mayor
District of Columbia
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-449

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To amend, on a temporary basis, the Legalization of Marijuana for Medical Treatment Initiative of 1999 to provide certain medical marijuana cultivation center applicants with the ability to relocate to another election ward.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2016”.

Sec. 2. Section 7(d)(3) of the Legalization of Marijuana for Medical Treatment Initiative of 1999, effective July 27, 2010 (D.C. Law 18-210; D.C. Official Code § 7-1671.06(d)(3)), is amended by adding a new subparagraph (C) to read as follows:

“(C) Any applicant that submitted an application on July 19, 2015, for a registration to operate a cultivation center shall be allowed to modify the location of the cultivation center on its application without negatively affecting the current status of the application.”.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

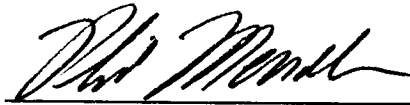
Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-450

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To approve, on an emergency basis, Contract No. CW42132 with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment for the Office of the State Superintendent of Education, and to authorize payment for the services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Contract No. CW42132 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Contract No. CW42132, with Measured Progress, Inc. to implement, maintain, and assist ongoing development of the criterion-referenced alternate assessment, and authorizes payment in the total not-to-exceed amount of \$482,830 for services received and to be received under the contract from March 11, 2016, through December 31, 2018.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than

90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 788; D.C. Official Code § 1-204.12(a)).



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-451

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc. for HVAC capital improvement services, and to authorize payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133A with Adrian L. Merton, Inc., for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

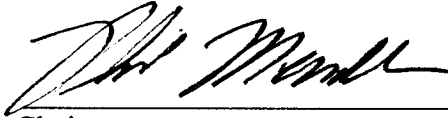
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47(a)).

Sec. 4. Effective date.

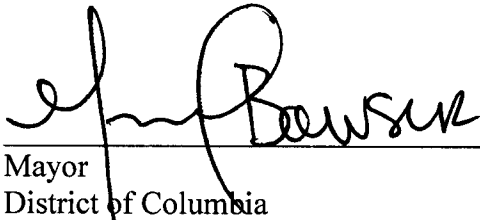
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-452

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To approve, on an emergency basis, Change Order Nos. 006 and 007 to Contract No. DCAM-15-CS-0074 with MCN Build, Inc. for design build services for the modernization of Hyde-Addison Elementary School, and to authorize payment in the aggregate amount of \$1,675,000 for goods and services received and to be received under the change orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 006 and 007 to Contract No. DCAM-14-CS-0074 with MCN Build, Inc. for design build services for the modernization of Hyde-Addison Elementary School, and authorizes payment in the aggregate amount of \$1,675,000 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act, approved October 16, 2006 (120 Stat. 2083; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.


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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-453

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To approve, on an emergency basis, the Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and to authorize payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133B with R&R Mechanical, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.


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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-454

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To approve, on an emergency basis, Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and to authorize payment in the total amount of \$13,277,232 for the goods and services received and to be received under the modifications for Option Year 2.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Modifications to Contract No. DCKA-C-2013-0007 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves Modification Nos. 8 and 9 and proposed Modification No. 10 to Contract No. DCKA-2013-C-0007 with Capitol Paving of DC, Inc. to provide construction for the rehabilitation and restoration of the District's alleyway system, and authorizes payment in the total amount of \$13,277,232 for the goods and services received and to be received under the modifications for Option Year 2.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-455

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 15, 2016

To amend, on an emergency basis, Title III of the Washington Metropolitan Area Transit Regulation Compact, known as the Washington Metropolitan Area Transit Authority Compact, to provide that the Secretary of the United States Department of Transportation appoints the federal government representatives to the Board of Directors of the Washington Metropolitan Area Transit Authority.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Washington Metropolitan Area Transit Authority Compact Emergency Amendment Act of 2016”.

Sec. 2. Paragraph 5(a) of Article III of Title III of the Washington Metropolitan Area Transit Regulation Compact, approved November 6, 1966 (80 Stat. 1324; D.C. Official Code § 9-1107.01(5)(a)), is amended by striking the phrase “Administrator of General Services” both times it appears and inserting the phrase “Secretary of the United States Department of Transportation” in its place.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.


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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 15, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-456

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 004 to Contract No. DCAM-14-NC-0133D with W.L. Gary Company, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47(a)).

Sec. 4. Effective date.


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

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-457

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To approve, on an emergency basis, the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorize payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02), the Council approves the exercise of Option Year 1 via Change Order No. 005 to Contract No. DCAM-14-NC-0133C with RSC Electrical & Mechanical Contractors, Inc. for HVAC capital improvement services, and authorizes payment in the not-to-exceed amount of \$5 million for the goods and services received and to be received under the contract.

Sec. 3. Fiscal impact statement.

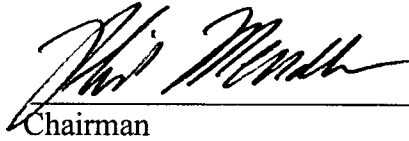
The Council adopts the fiscal impact statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

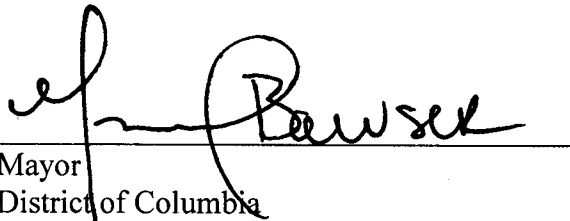
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-458

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To approve, on an emergency basis, Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School and to authorize payment in the aggregate amount of \$2,685,013.14 for the goods and services received and to be received under the change orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A Approval and Payment Authorization Emergency Act of 2016”.

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 005 through 012 to Contract No. DCAM-14-CS-0095A with Turner Construction Company for design build services for the modernization of Kramer Middle School, and authorizes payment in the aggregate amount of \$2,685,013.14 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

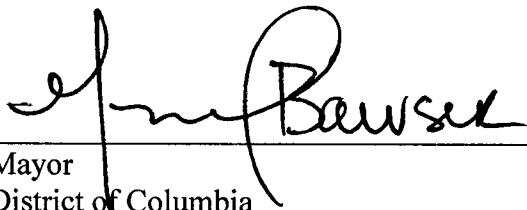
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-459

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To approve, on an emergency basis, Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with the Whiting-Turner Contracting Company for design build services for the modernization of Van Ness Elementary School, and to authorize payment in the aggregate amount of \$1,220,169 for the goods and services received and to be received under the change orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 003 and 004 to Contract No. DCAM-15-CS-0076 with The Whiting-Turner Contracting Company for design build services for the modernization of Van Ness Elementary School, and authorizes payment in the aggregate amount of \$1,220,169 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

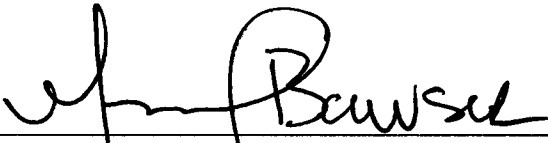
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-460

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To approve, on an emergency basis, Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and to authorize payment in the aggregate amount of \$1,028,928 for the goods and services received and to be received under the change orders.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 Approval and Payment Authorization Emergency Act of 2016".

Sec. 2. Pursuant to section 451 of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 803; D.C. Official Code § 1-204.51), and notwithstanding the requirements of section 202(a) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-352.02(a)), the Council approves Change Order Nos. 005 through 010 to Contract No. DCAM-14-CS-0102 with Tompkins Builders, Inc. for design build services for the modernization of Stanton Elementary School, and authorizes payment in the aggregate amount of \$1,028,928 for the goods and services received and to be received and under the change orders.

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal statement of the Office of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

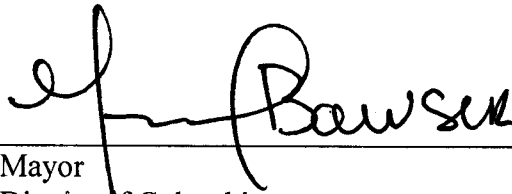
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-461

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To establish, on an emergency basis, that it shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction on the sale, or other transfer, or lease of real property used as a grocery store that prohibits the subsequent use of the property as a grocery store.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Grocery Store Restrictive Covenant Prohibition Emergency Act of 2016”.

Sec. 2. (a) It shall be unlawful for the owner or operator of a grocery store to impose a restrictive land covenant or use restriction in a contract for the sale, or other transfer, or lease of real property being used as a grocery store that prohibits the subsequent use of the real property as a grocery store.

(b) Any contract, including a private agreement, that includes a restrictive land covenant or use restriction on real property as described in subsection (a) of this section shall be void and unenforceable.

(c) The prohibition imposed by this section shall not apply to an owner or operator of a grocery store or food retail store that terminates operations at a site for purposes of relocating the grocery or food retail store into a comparable or larger store located within the District of Columbia within one-half mile of the site where the prior operation was terminated; provided, that relocation and commencement of the operation of the new grocery store or food retail store at the new site occurs within 2 years of the sale, transfer, or lease of the prior site, and the restrictive covenant imposed on the prior site does not have a term in excess of 3 years. If the new grocery store or food retail store is not relocated within the District within one-half mile of the prior site within 2 years, the restrictive land covenant or use restriction shall not be enforceable.

(d) For the purposes of this act, the term:

(1) “Grocery store” means a retail establishment with a primary business of selling grocery products and includes a selling area that is used for a general line of food and nonfood grocery products.

(2) “Private agreement” means a mutually agreed upon and entered into exchange of promises.

ENROLLED ORIGINAL

Sec. 3. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-462

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To amend, on an emergency basis, due to congressional review, section 103 of Title 18 of the District of Columbia Municipal Regulations to repeal the requirement that every person who has never been issued a driver license must provide documentation that they have successfully completed an approved course of driver instruction before issuance of a provisional permit or driver license.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Mandatory Driver Instruction Regulation Congressional Review Emergency Amendment Act of 2016".

Sec. 2. Section 103.11 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 103.11) is repealed.

Sec. 3. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Budget Director as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 4. Effective date.

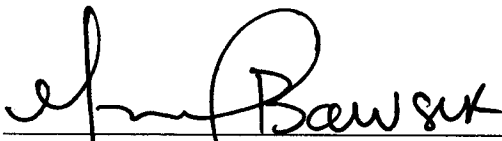
This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect for no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

AN ACT

D.C. ACT 21-463

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JULY 20, 2016

To enact and amend, on an emergency basis, provisions of law necessary to support the Fiscal Year 2017 budget.

Table of Contents

TITLE I. GOVERNMENT DIRECTION AND SUPPORT..... 6

 SUBTITLE A. BONUS PAY AND SPECIAL AWARDS PAY 6

 SUBTITLE B. BEGA LOBBYIST FEE AND NOMINEE REVIEW PERIOD AMENDMENT..... 8

 SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT 9

 SUBTITLE D. CAPTIVE INSURANCE AGENCY AMENDMENT 9

 SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS..... 11

 SUBTITLE F. OIG BUDGET PROCESS CLARIFICATION AMENDMENT 11

 SUBTITLE G. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY..... 12

 SUBTITLE H. BALLOT ACCESS MODERNIZATION 13

 SUBTITLE I. DIRECTOR OF THE MAYOR’S OFFICE OF COMMUNITY AFFAIRS GRANT-MAKING 14

 SUBTITLE J. NEW COLUMBIA STATEHOOD COMMISSION DISCRETIONARY FUNDING..... 15

 SUBTITLE K. PDS CREDITABLE SERVICE CLARIFICATION 15

 SUBTITLE L. RETIREMENT SURVIVOR EQUITY BENEFIT 16

 SUBTITLE M. ARCHIVES EMINENT DOMAIN AUTHORITY 16

 SUBTITLE N. ADVISORY NEIGHBORHOOD COMMISSIONS SIGN-LANGUAGE INTERPRETERS PILOT PROGRAM 17

 SUBTITLE O. CONSTITUENT SERVICES EXPENDITURE LIMIT..... 18

ENROLLED ORIGINAL

SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND..... 18

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION..... 19

SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION AMENDMENT 19

SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT 24

SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT..... 24

SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS..... 25

SUBTITLE E. DMPED GRANT-MAKING AUTHORITY AMENDMENT 25

SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT 26

SUBTITLE G. DMPED PROCUREMENT EXEMPTION CLARIFICATION 27

SUBTITLE H. BUSINESS IMPROVEMENT DISTRICTS CHARTER RENEWAL 27

SUBTITLE I. PREGNANT WORKERS PROTECTION 28

SUBTITLE J. ACCRUED SICK AND SAFE LEAVE AMENDMENT 28

SUBTITLE K. ADULT CAREER PATHWAYS IMPLEMENTATION..... 29

SUBTITLE L. UNEMPLOYMENT BENEFITS MODERNIZATION 29

SUBTITLE M. TOPA APPLICATION-ASSISTANCE PILOT PROGRAM..... 30

SUBTITLE N. RETAIL PRIORITY AREA AMENDMENT 32

SUBTITLE O. WORKFORCE INVESTMENT COUNCIL MEMBERSHIP 33

SUBTITLE P. ARTS AND HUMANITIES COMPETITIVE GRANTS..... 33

SUBTITLE Q. WORKERS’ COMPENSATION LIEN RECONCILIATION..... 34

SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH. 34

TITLE III. PUBLIC SAFETY AND JUSTICE 34

SUBTITLE A. COG PROCUREMENT AUTHORIZATION..... 34

SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID AMENDMENT 35

SUBTITLE C. PUBLIC SAFETY EXECUTIVE PAY SCHEDULE AMENDMENT 36

SUBTITLE D. ANATOMICAL BOARD REPEAL..... 38

SUBTITLE E. FIRE OFFICIALS SERVICE LONGEVITY AMENDMENT..... 39

SUBTITLE F. FEMS PRESUMPTIVE DISABILITY IMPLEMENTATION 39

SUBTITLE G. FEMS APPARATUS MAINTENANCE..... 41

SUBTITLE H. EMS TRANSPORT CONTRACT AUTHORITY 42

SUBTITLE I. INTEGRATED HEALTH CARE TASK FORCE..... 45

ENROLLED ORIGINAL

SUBTITLE J. OAG LITIGATION SUPPORT FUND AND AUTHORITY CLARIFICATION..... 47

SUBTITLE K. PUBLIC SAFETY TECHNICAL AMENDMENTS 48

SUBTITLE L. CPR EMERGENCY MEDICAL APPLICATION 49

SUBTITLE M. ESTABLISHMENT OF CRIMINAL CODE REFORM COMMISSION 50

SUBTITLE N. DOC INMATE AND RETURNING CITIZEN ASSISTANCE 55

SUBTITLE O. PUBLIC SAFETY TELECOMMUNICATOR AND DISTRICT SCHOOL CPR AND AED TRAINING..... 55

TITLE IV. PUBLIC EDUCATION 59

 SUBTITLE A. UNIFORM PER STUDENT FUNDING FORMULA FOR PUBLIC SCHOOLS AND PUBLIC CHARTER SCHOOLS AMENDMENT 59

 SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY AMENDMENT 64

 SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES 65

 SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS..... 65

 SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM 66

 SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY 66

 SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT ADJUSTMENT... 67

 SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING AND COMMON LOTTERY BOARD AMENDMENT..... 67

 SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT PERIOD AMENDMENT..... 68

 SUBTITLE J. PUBLIC CHARTER SCHOOL AT-RISK AND LIMITED ENGLISH PROFICIENT PAYMENT AMENDMENT 69

 SUBTITLE K. HIGHER EDUCATION LICENSURE COMMISSION CLARIFICATION . 70

 SUBTITLE L. TRAFFIC CONTROL INVESTIGATIONS FOR NEW SCHOOLS AMENDMENT..... 71

 SUBTITLE M. EXCESS SCHOOL FACILITIES EXISTING TENANT PREFERENCE 72

 SUBTITLE N. EDUCATION OMBUDSMAN AND OFFICE OF THE STUDENT ADVOCATE AMENDMENT..... 73

 SUBTITLE O. EDUCATION REPORTING REQUIREMENTS 74

 SUBTITLE P. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH..... 76

TITLE V. HEALTH AND HUMAN SERVICES..... 76

ENROLLED ORIGINAL

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT .. 76

SUBTITLE B. DHCF AND DDS MEDICAL ASSISTANCE PROGRAM AMENDMENTS 77

SUBTITLE C. CONTRIBUTION TO COSTS OF SUPPORTS FUND 77

SUBTITLE D. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES RENT INCREASE RELIEF 79

SUBTITLE E. COMMISSION ON HEALTH EQUITY 79

SUBTITLE F. TEEN PREGNANCY PREVENTION FUND AMENDMENT 82

SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT 83

SUBTITLE H. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL PAYMENT 87

SUBTITLE I. PROGRAM ON WORK, EMPLOYMENT, AND RESPONSIBILITY (POWER) AMENDMENT 91

SUBTITLE J. YOUTH SERVICES COORDINATION TASK FORCE 91

SUBTITLE K. SUPPORTING NORMALCY, EMPOWERING FOSTER CHILDREN, AND ENCOURAGING PLACEMENT WITH SIBLINGS 92

SUBTITLE L. NOT-FOR-PROFIT HOSPITAL CORPORATION CERTIFICATE OF NEED EXEMPTION AMENDMENT ACT OF 2016 94

SUBTITLE M. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION 94

SUBTITLE N. DCHA REHABILITATION AND MAINTENANCE FUND 95

SUBTITLE O. LRSP AMENDMENT 97

SUBTITLE P. FLEXIBLE RENT SUBSIDY PILOT 97

SUBTITLE Q. VITAL RECORDS FEES 98

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT..... 99

 SUBTITLE A. WILDLIFE PROTECTION ENFORCEMENT 99

 SUBTITLE B. AIR QUALITY RULEMAKING AMENDMENT 99

 SUBTITLE C. ENERGY INNOVATION AND SAVINGS AMENDMENT 100

 SUBTITLE D. PRODUCT STEWARDSHIP PROGRAM AMENDMENT 101

 SUBTITLE E. CLEAN AND AFFORDABLE ENERGY AMENDMENT 103

 SUBTITLE F. STREETCAR AUTHORIZATION AMENDMENT..... 105

 SUBTITLE G. PUBLICATION OF SAFETY ENHANCEMENT RECOMMENDATIONS 106

 SUBTITLE H. BID PARKING ABATEMENT FUND AMENDMENT..... 106

ENROLLED ORIGINAL

SUBTITLE I. COMMUNITY RENEWABLE ENERGY CREDIT RATE CLARIFICATION AMENDMENT..... 107

SUBTITLE J. COMPETITIVE GRANTS 107

SUBTITLE K. COMPOST DROP-OFF PROGRAM..... 108

SUBTITLE L. ENVIRONMENTAL LITERACY PROGRAM AMENDMENT 108

SUBTITLE M. SELF-SERVICE EXHAUST EMISSIONS TESTING PILOT PROGRAM 109

SUBTITLE N. WAIVER OF PUBLIC SPACE PERMIT FEES FOR CIVIC ASSOCIATIONS..... 110

SUBTITLE O. KINGMAN ISLAND AND HERITAGE ISLAND STUDY..... 111

SUBTITLE P. LOCAL FOOD ECONOMY STUDY..... 111

SUBTITLE Q. PERSONAL DELIVERY DEVICES PILOT PROGRAM 112

TITLE VII. FINANCE AND REVENUE..... 114

 SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS..... 114

 SUBTITLE B. OMNIBUS BUDGET SUPPORT CLARIFICATION AMENDMENT 116

 SUBTITLE C. COMBINED REPORTING AMENDMENT 121

 SUBTITLE D. FRANCHISE TAX RETURN DUE DATE 121

 SUBTITLE E. COLLEGE SAVINGS PROGRAM AMENDMENT 122

 SUBTITLE F. D.C. LOTTERY AMENDMENT..... 122

 SUBTITLE G. OIG AUDIT AMENDMENT 130

 SUBTITLE H. PARKSIDE PARCEL E AND J TAX ABATEMENT 130

 SUBTITLE I. SCHEDULE H CONSUMER PRICE INDEX AMENDMENT 131

 SUBTITLE J. TAX SALE RESOURCE CENTER AND DEED CLARIFICATION 132

 SUBTITLE K. TAX REVISION COMMISSION IMPLEMENTATION..... 132

 SUBTITLE L. LIHTC PILOT PROGRAM AMENDMENT 133

 SUBTITLE M. FISCAL STABILIZATION RESERVE AMENDMENT 133

 SUBTITLE N. SPECIAL BUDGET PROVISION REFORM..... 133

 SUBTITLE O. VAULT TAX EXPANSION 134

 SUBTITLE P. WALKER JONES REAL PROPERTY TAX ABATEMENT..... 134

 SUBTITLE Q. JUBILEE ONTARIO APARTMENTS REAL PROPERTY TAX ABATEMENT..... 135

TITLE VIII. CAPITAL BUDGET 135

ENROLLED ORIGINAL

SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION APPROVAL 135

SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILITATION AMENDMENT 139

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS..... 140

 SUBTITLE A. FIXED COST COMMODITIES RESERVE AMENDMENT..... 140

TITLE X. APPLICABILTY; FISCAL IMPACT; EFFECTIVE DATE..... 140

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Fiscal Year 2017 Budget Support Emergency Act of 2016”.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

SUBTITLE A. BONUS PAY AND SPECIAL AWARDS PAY

Sec. 1001. Short title.

This subtitle may be cited as the “Bonus Pay and Special Awards Pay Emergency Act of 2016”.

Sec. 1002. Bonus pay and special awards pay; generally.

(a) Unless authorized pursuant to this subtitle, no funds shall be used to support the categories of bonus pay or special awards pay. The prohibition on the use of funds under this subtitle shall include funds appropriated to any agency, department, unit, or instrumentality of the District of Columbia government, and, unless specifically authorized in a grant agreement, any funds disbursed by the District through a grant.

(b) Notwithstanding subsection (a) of this section, an agency, department, unit, or instrumentality of the District of Columbia government may use funds to support the categories of bonus pay or special awards pay if the agency, department, unit, or instrumentality establishes a Performance Based Rewards Program pursuant to section 1003 and meets the other requirements of this subtitle.

Sec. 1003. Bonus pay and special awards pay; Performance Based Rewards Program.

(a) In order to use funds for bonus pay or special awards pay, a District agency, department, unit, or instrumentality shall establish a Performance Based Rewards Program (“Program”) that is approved by the personnel authority for the relevant agency, department, unit, or instrumentality.

(b) A Program established pursuant to this subtitle shall include detailed regulations for the payment of bonus pay or special awards pay to employees that, at a minimum:

ENROLLED ORIGINAL

(1) Limit the authorization period for bonus pay and special awards pay to the fourth quarter of the fiscal year;

(2) Limit the issuance of bonus pay or special awards pay to a one-time basis, without any promise or suggestion of continuing payments;

(3) Limit the issuance of bonus pay or special awards pay to employees on an individual basis, and not to a group or class of employees unless each of the employees in the group or class individually warrants such payment;

(4) Require any issuance of bonus pay or special awards pay to be based on performance, with the employee having exceeded the expectations of the supervisor or employer;

(5) Require that an employee have had a performance evaluation, in writing, no earlier than 90 days before the issuance of a bonus pay or special awards pay;

(6) Require written justification for the bonus pay or special awards pay by the employee's immediate supervisor or the head of the agency, department, unit, or instrumentality

(7) Cap the amount of bonus pay or special awards pay that can be received at 10% of the employee's base rate of pay or, for an employee paid at an hourly rate, an amount not to exceed 10% of the employee's wages for the 12 months preceding the award; and

(8) Limit the availability of any bonus pay or special awards pay to one payment per calendar year and prohibit an employee from receiving bonus pay and special awards pay within the same calendar year.

(c) Any Program for an Executive branch agency, department, unit, or instrumentality, including an independent agency, shall be approved by the District of Columbia Human Resources Department before its implementation.

Sec. 1004. Bonus pay and special awards pay; reporting requirements.

In addition to any other requirements under this subtitle, any payment of bonus pay or special awards pay made pursuant to section 1002(b) shall be followed, within 60 days of the payment, by notification in writing to the relevant personnel authority of the issuance of the payment and a description of the basis for the payment that includes the employee's name, title, salary, payment amount, and a detailed justification for the payment.

Sec. 1005. Bonus pay and special awards pay; subordinate agency heads ineligible.

Any authorization under this subtitle for the use of funds to support the categories of bonus pay or special awards pay shall not extend to a payment to a subordinate agency head in the Executive Service established by Title X-A of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective June 10, 1998 (D.C. Law 12-124; D.C. Official Code § 1-610.51 *et seq.*).

Sec. 1006. Bonus pay and special awards pay; exceptions to prohibition.

(a) Notwithstanding the prohibition in section 1002(a), funds may be used to pay:

(1) Retirement awards;

(2) Hiring bonuses for difficult-to-fill positions;

ENROLLED ORIGINAL

(3) Additional income allowances for difficult-to-fill positions; provided, that this is not a waiver of section 1005;

(4) Agency awards or bonuses funded by private grants or donations;

(5) Employee awards pursuant to section 1901 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 § 1-619.01);

(6) Safe-driving awards;

(7) Gainsharing incentives in the Department of Public Works;

(8) Suggestion or invention awards;

(9) Quality steps;

(10) Salary incentives negotiated through collective bargaining; or

(11) Any other award or bonus required by an existing contract or collective bargaining agreement that was entered into before the effective date of this subtitle.

(b) Notwithstanding the prohibition in section 1002(a) or any other provision of law, no restrictions on the use of funds to support the categories of special awards pay (comptroller subcategory 0137) or bonus pay (comptroller subcategory 0138) shall apply to employees of the District of Columbia Public Schools who are based at a local school or who provide services directly to individual students.

(c) Notwithstanding the prohibition in section 1002(a) or any other provision of law, the Office of the Attorney General shall pay employees of the Office of the Attorney General all performance allowance payments to which they are entitled or may become entitled under any approved compensation agreement negotiated between and executed by the Mayor and Compensation Unit 33 of the American Federation of Government Employees, Local 1403, AFL-CIO for the period from October 1, 2013, through September 30, 2017. These payments are necessary to satisfy the requirements of section 857 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 § 1-608.57), which requires the Attorney General's performance-management system to link pay to performance.

SUBTITLE B. BEGA LOBBYIST FEE AND NOMINEE REVIEW PERIOD AMENDMENT

Sec. 1011. Short title.

This subtitle may be cited as the "BEGA Lobbyist Fee and Nominee Review Period Emergency Amendment Act of 2016".

Sec. 1012. The Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1162.01 *et seq.*), is amended as follows:

(a) Section 203 (D.C. Official Code § 1-1162.03) is amended as follows:

(1) Subsection (b)(1) is amended by striking the phrase "45-day" both times it appears and inserting the phrase "90-day" in its place.

ENROLLED ORIGINAL

(2) Subsection (c) is amended by striking the phrase “Chairman of the Ethics Board” and inserting the phrase “Chairperson of the Ethics Board” in its place.

(b) Section 205 (D.C. Official Code § 1-1162.05) is amended by striking the word “Chairman” both times it appears and inserting the word “Chairperson” in its place.

(c) Section 227(b)(2) (D.C. Official Code § 1-1162.27(b)(2)) is amended to read as follows:

“(2) The registration fee for lobbyists who lobby solely for nonprofit organizations shall be \$50. For the purposes of this paragraph, the term “nonprofit organization” means an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, approved October 22, 1986 (68A Stat. 163; 26 U.S.C. § 501(c)(3)).”.

SUBTITLE C. EMPLOYEES’ COMPENSATION FUND AMENDMENT

Sec. 1021. Short title.

This subtitle may be cited as the “Employees’ Compensation Fund Clarification Emergency Amendment Act of 2016”.

Sec. 1022. Section 2342 of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.42), is amended as follows:

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

(1) Paragraph (1) is repealed.

(2) Paragraph (2) is amended by striking the phrase “expenses, except administrative expenses, authorized by this title or any extension or application thereof, except as otherwise provided by this subtitle or other statute.” and inserting the phrase “expenses incurred to implement the provisions of this act.” in its place.

(3) Paragraph (3) is repealed.

(b) Subsection (b) is repealed.

Sec. 1023. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. CAPTIVE INSURANCE AGENCY AMENDMENT

Sec. 1031. Short title.

This subtitle may be cited as the “Captive Insurance Agency Emergency Amendment Act of 2016”.

Sec. 1032. The Captive Insurance Agency Establishment Act of 2008, effective July 18, 2008 (D.C. Law 17-196; D.C. Official Code § 1-307.81 *et seq.*), is amended as follows:

(a) Section 3 (D.C. Official Code § 1-307.82) is amended as follows:

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

ENROLLED ORIGINAL

“(2) Provide insurance for District real property assets and District personal property assets.”.

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

“(c) The liability of the Agency for medical malpractice liability, property insurance policies, and any other policies provided for pursuant to this act shall be limited to the funds in the Captive Trust Fund.”.

(b) Section 4(a) (D.C. Official Code § 1-307.83(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “By delegation from the Mayor, to exercise” and inserting the word “Exercise” in its place.

(2) Paragraph (4A) is amended by striking the word “property”.

(c) Section 6(i)(2A) (D.C. Official Code § 1-307.85(i)(2A)) is amended by striking the word “property”.

(d) Section 8(b)(4A) (D.C. Official Code § 1-307.87(b)(4A)) is amended to read as follows:

“(4A) Establish procedures for the offering of insurance for District real property assets and District personal property assets;”.

(e) Section 11(a)(2) (D.C. Official Code § 1-307.90(a)(2)) is amended to read as follows:

“(2) Insurance for the benefit of the District for District real property assets and District personal property assets consistent with coverage offered in the market.”.

(f) Section 12(b) (D.C. Official Code § 1-307.91(b)) is amended as follows:

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

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

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

“(7) Beginning with payments made from the Fund on or after December 1, 2014, the purchase of insurance on behalf of the District of Columbia government.”.

(g) Section 13 (D.C. Official Code § 1-307.92) is amended to read as follows:

“Sec. 13. Exemption from certain laws.

“The Agency shall not be subject to the:

“(1) Small and Certified 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.*);

“(2) Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*); or

“(3) 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.*).”.

Sec. 1033. Section 40 of the Fire and Casualty Act, approved October 9, 1940 (54 Stat. 1080; D.C. Official Code § 31-2502.40), is amended by adding a new subsection (c) to read as follows:

“(c)(1) Each agent or broker engaged by the District of Columbia government to procure insurance on its behalf shall be exempt from the requirement, as set forth in subsection (a) of this

ENROLLED ORIGINAL

section, to pay the 2 per centum of the amount of the gross premiums upon all kinds of policies procured by the agent or broker on behalf of the District of Columbia government.

“(2) To claim this exemption, the agent or broker shall include a statement identifying, for each item enumerated in the affidavit required by subsection (a) of this section, the portion allocated to policies procured on behalf of the District of Columbia government.

“(3) The exemption provided in this subsection shall not be construed to exempt any agent or broker from any other requirement imposed by this section.”.

SUBTITLE E. PUBLIC-PRIVATE PARTNERSHIPS

Sec 1041. Short title.

This subtitle may be cited as the “Public-Private Partnerships Emergency Amendment Act of 2016”.

Sec. 1042. The Public-Private Partnership Act of 2014, effective March 11, 2015 (D.C. Law 20-228; D.C. Official Code § 2-271.01 *et seq.*), is amended as follows:

(a) Section 105(c) (D.C. Official Code § 2-272.04(c)) is amended by striking the phrase “sections 107 and 109” and inserting the phrase “this act” in its place.

(b) Section 108(f) (D.C. Official Code § 2-273.03(f)) is amended by striking the phrase “response period” and inserting the phrase “evaluation period as part of the report submitted to the Council pursuant to section 114(a)(1)” in its place.

(c) Section 109(b)(2) (D.C. Official Code § 2-273.04(b)(2)) is amended by striking the phrase “the unsolicited proposal” and inserting the phrase “notice of the favorable evaluation of the unsolicited proposal, including a link to where a copy of the proposal may be publicly accessed on the Internet,” in its place.

(d) Section 301(a) (D.C. Official Code § 2-274.01(a)) is amended as follows:

(1) Paragraph (1) is amended by striking the phrase “projects; and” and inserting the phrase “projects;” in its place.

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

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

“(3) Rules to address surety and bonding requirements of public-private partnership projects, including consistent baseline requirements across projects.”.

Sec. 1043. Section 105(c)(19) of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.05(c)(19)), is amended by striking the phrase “titles VII and X” and inserting the phrase “Title X” in its place.

SUBTITLE F. OIG BUDGET PROCESS CLARIFICATION AMENDMENT

Sec. 1051. Short title.

This subtitle may be cited as the “Office of the Inspector General Budget Process Clarification Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 1052. Section 208(a)(2)(A) of the District of Columbia Procurement Practices Act of 1985, effective February 21, 1986 (D.C. Law 6-85; D.C. Official Code § 1-301.115a(a)(2)(A)), is amended as follows:

(a) Strike the phrase “without revision but subject to recommendations.” and insert the phrase “without revision but subject to recommendations, including recommendations on reallocating any funds from the Inspector General’s estimates to other items in the District budget.” in its place.

(b) Strike the phrase “Notwithstanding any other provision of such Act, the Council may comment or make recommendations concerning such estimates, but shall have no authority to revise such estimates.”.

Sec. 1053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. USE OF OFFICIAL VEHICLES DURING AN EMERGENCY

Sec. 1061. Short title.

This subtitle may be cited as the “Use of Official Vehicles During an Emergency Emergency Amendment Act of 2016”.

Sec. 1062. Section 3602 of the Restrictions on the Use of Official Vehicles Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 50-204), is amended by adding a new subsection (e) to read as follows:

“(e)(1) Notwithstanding any other provision of this section, during an emergency declared pursuant to section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981 (D.C. Law 3-149; D.C. Official Code § 7-2304), the Mayor may authorize an officer or employee of the District of Columbia government to use an official vehicle; provided, that the officer or employee may use the official vehicle only in the performance of the officer’s or employee’s duties, to conduct official business, or to travel between the officer’s or employee’s residence and workplace when the use of an official vehicle is necessary for that officer or employee to assist the District in responding to an emergency.

“(2) Authorization provided pursuant to this subsection shall expire concurrent with the end date of the declared emergency.

“(3) No later than 30 days after the end date of a declared emergency, the Mayor shall submit to the Council a report listing the following information for each officer or employee whom the Mayor authorized to use an official vehicle pursuant to this subsection:

“(A) The officer or employee’s name;

“(B) The officer or employee’s title and agency;

“(C) The length of time for which the officer or employee used an official vehicle; and

“(D) A detailed justification of the necessity for the officer or employee to have access to and use an official vehicle.”.

ENROLLED ORIGINAL

SUBTITLE H. BALLOT ACCESS MODERNIZATION

Sec. 1071. Short title.

This subtitle may be cited as the “Ballot Access Modernization Emergency Amendment Act of 2016”.

Sec. 1072. 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 as follows:

(a) Section 2 (D.C. Official Code § 1-1001.02) is amended by adding new paragraphs (29) and (30) to read as follows:

“(29) “Mobile application” means specialized software, designed for a mobile device, in which electronic signatures are collected on an electronic petition.

“(30) “Mobile device” means a handheld, portable, wireless computing device, including a tablet computer or mobile phone.”.

(b) Section 5 (D.C. Official Code § 1-1001.05) is amended as follows:

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

(A) Paragraph (17) is amended by striking the word “and”.

(B) Paragraph (18) is amended by striking the period and inserting the phrase “; and” in its place.

(C) A new paragraph (19) is added to read as follows:

“(19)(A) Obtain or develop a mobile application that:

“(i) Connects the user to the Board’s computerized voter registration list to immediately confirm that a petition signer is a registered qualified elector;

“(ii) Maintains an up-to-date count of the number of electronic signatures collected; and

“(iii) Allows signed petitions to be printed out for submission to the Board;

“(B) No later than October 1, 2017, implement a pilot program that provides a limited number, as determined by the Board, of candidates, qualified petition circulators, and proposers with the option to use a mobile application, in addition to the paper circulation process, to gather electronic signatures on a mobile device registered with the Board for the June 2018 Primary Election;

“(C) For the November 2018 General Election, and all subsequent elections, make a mobile application available to all candidates, qualified petition circulators, and proposers to install on a mobile device registered with the Board; and

“(D) Issue rules to implement the use of a mobile application for all elections, including how to register a mobile device with the Board in order to utilize the mobile application; provided, that the rules shall require signed petitions from the mobile application to be printed out and submitted to the Board.”.

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

“(l) For the purposes of implementing the duties under subsection (a)(19) of this section, the Board may loan a mobile device to a candidate, qualified petition circulator, or proposer to

ENROLLED ORIGINAL

utilize the mobile application. The Board may charge a reasonable refundable deposit for the use of the mobile device.”.

(c) Section 16(g) (D.C. Official Code § 1-1001.16(g)) is amended as follows:

(1) Strike the phrase “same size as the original.” and insert the phrase “same size as the original or shall utilize the mobile application made available under section 5(a)(19).” in its place.

(2) Strike the phrase “ward numbers, and shall have printed on it, in a manner prescribed by the Board, the following:” and insert the phrase “ward numbers.” in its place.

(3) A new sentence is added at the end of the lead-in language to read as follows: “Each petition sheet shall have printed on it, and each mobile application shall electronically display, the following information:”.

(d) Section 17(e) (D.C. Official Code § 1-1001.17(e)) is amended as follows:

(1) Strike the phrase “as the original” and insert the phrase “as the original or shall utilize the mobile application made available under section 5(a)(19)” in its place.

(2) Strike the phrase “ward numbers, and shall have printed on it the following:” and insert the phrase “ward numbers.” in its place.

(3) A new sentence is added at the end of the lead-in language to read as follows: “Each petition sheet shall have printed on it, and each mobile application shall electronically display, the following information:”.

Sec. 1073. Section 1603.8 of Chapter 16 of Title 3 of the District of Columbia Municipal Regulations is repealed.

SUBTITLE I. DIRECTOR OF THE MAYOR’S OFFICE OF COMMUNITY AFFAIRS GRANT-MAKING

Sec. 1081. Short title.

This subtitle may be cited as the “Mayor’s Office of Community Affairs Limited Grant-making Emergency Amendment Act of 2016”.

Sec. 1082. (a) In Fiscal Year 2017, the Director of the Mayor’s Office of Community Affairs (“Director”) shall have grant-making authority for the purpose set forth in subsection (b) of this section.

(b)(1) In Fiscal Year 2017, the Director shall award a grant of up to \$75,405 to provide housing-related assistance to members of the Caribbean population of the District; provided, that the funds shall be used only for research, reports, and outreach that promote housing initiatives for the Caribbean population of need.

(2) Before issuing the grant, the Director shall consult with the Mayor’s Advisory Commission on Caribbean Community Affairs regarding grant solicitation.

ENROLLED ORIGINAL

**SUBTITLE J. NEW COLUMBIA STATEHOOD COMMISSION
DISCRETIONARY FUNDING**

Sec. 1091. Short title.

This subtitle may be cited as the “New Columbia Statehood Commission Discretionary Fund Emergency Amendment Act of 2016”.

Sec. 1092. The District of Columbia Statehood Constitutional Convention Initiative of 1979, effective May 2, 2015 (D.C. Law 20-271; D.C. Official Code § 1-129.31 *et seq.*), is amended as follows:

(a) Section 32(c) (D.C. Official Code § 1-129.32(c)) is amended as follows:

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

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

“(2)(A) Except as provided in subparagraph (B) of this paragraph, the Commission is authorized to provide for the expenditure of up to \$24,000 per year from the Fund for the purposes provided in section 35(a).

“(B) For Fiscal Year 2016, the Commission is authorized to provide for the expenditure of up to \$12,000.”.

(b) Section 35(a) (D.C. Official Code § 1-129.35(a)) is amended to read as follows:

“(a) Except as provided in subsection (b) of this section, a member of the Statehood Delegation shall use New Columbia Statehood Fund monies for:

“(1) Any expense closely and directly related to the operation of his or her office;
or

“(2) Any expense that the Commission deems necessary for appropriate purposes related to the purposes of the Commission; provided, that the Commission’s determination of necessity shall be final and conclusive, and its certificate shall be sufficient voucher for the expenditure of appropriations made pursuant to this section.”.

Sec. 1093. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE K. PDS CREDITABLE SERVICE CLARIFICATION

Sec. 1101. Short title.

This subtitle may be cited as the “Public Defender Service Creditable Service Clarification Emergency Amendment Act of 2016”.

Sec. 1102. Section 2604(1) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective October 1, 1987 (D.C. Law 7-27, D.C. Official Code § 1-626.04(1)), is amended by adding a new subparagraph (C) to read as follows:

“(C)(i) For purposes of vesting pursuant to section 2610(b), and notwithstanding any other provision of law or any prior agreement with the Public Defender Service for the District of Columbia, creditable service with the District for

ENROLLED ORIGINAL

employees of the Public Defender Service of the District of Columbia hired on or after October 1, 1987 and before September 16, 1991 shall be calculated to include service beginning as of the commencement of employment.

“(ii) This subparagraph shall apply as of October 1, 1987.”.

Sec. 1103. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. RETIREMENT SURVIVOR EQUITY BENEFIT

Sec. 1111. Short title.

This subtitle may be cited as the “Equity in Survivor Benefits Clarification Emergency Amendment Act of 2016”.

Sec. 1112. Section 4 of the District of Columbia Spouse Equity Act of 1988, effective March 16, 1989 (D.C. Law 7-214; D.C. Official Code § 1-529.03), is amended by adding a new subsection (f) to read as follows:

“(f) The Mayor is not obligated to comply with a qualifying court order issued after an employee’s or retiree’s death.”.

SUBTITLE M. ARCHIVES EMINENT DOMAIN AUTHORITY

Sec. 1121. Short title.

This subtitle may be cited as the “Archives Eminent Domain Authority Emergency Act of 2016”.

Sec. 1122. Findings.

The Council finds that:

(1) The District of Columbia Office of Public Records and Archives (“the Archives”) is currently headquartered at 1300 Naylor Court, N.W.

(2) The Fiscal Year 2017 Local Budget Act of 2016, enacted on June 15, 2016 (D.C. Act 21-414; 63 DCR 8786), provides funding to allow the Archives to relocate to a site that meets several criteria outlined in a report commissioned by the Department of General Services, which found that the preferred alternative would be a stand-alone, purpose-built, new facility requiring approximately 135,000 gross building square feet.

(2) The Archives building is to be a mix of high-quality, environmentally controlled storage space, and several thousand square feet of space for the public to access the Archives, office space, and meeting space.

(3) The District desires to relocate the Archives to a new facility to be developed on Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 (“W Street Site”) that, combined, comprise approximately 147,000 square feet.

(4) The W Street Site is currently occupied by a private trash transfer station.

ENROLLED ORIGINAL

(5) The trash transfer station is a blighting factor in Brentwood and its surrounding communities.

(6) Residents of Brentwood and the surrounding communities have concerns regarding the noxious fumes that emanate from the trash transfer station and pervasive vermin, and have complained that there is an increased incidence of health concerns.

(7) The W Street Site trash transfer station continues to operate as an open-air trash transfer station, which allows its pungent odors to reach much farther than they would if the facility were closed.

(8) Since August 2012, the District Department of the Environment has conducted at least 37 inspections and issued 8 notices of infractions to the W Street Site trash transfer station.

(9) The W Street Site will provide an opportunity to construct and establish a state-of-the-art archival government facility that is centrally located within the District of Columbia and in close proximity to Metrorail and Metrobus service.

Sec. 1123. Exercise of eminent domain.

The Mayor may exercise eminent domain in accordance with the procedures set forth in subchapter II of Chapter 13 of Title 16 of the District of Columbia Official Code to acquire Lots 36, 41, and 802 in Square 3942 and Parcels 0143/107 and 0143/110 for the purposes set forth in section 1122.

SUBTITLE N. ADVISORY NEIGHBORHOOD COMMISSIONS SIGN-LANGUAGE INTERPRETERS PILOT PROGRAM

Sec. 1131. Short title.

This subtitle may be cited as the “Advisory Neighborhood Commissions Access to Sign-Language Interpreters Emergency Amendment Act of 2016”.

Sec. 1132. Section 18 of the Advisory Neighborhood Commissions Act of 1975, effective June 27, 2000 (D.C. Law 13-135; D.C. Official Code § 1-309.15), is amended by adding a new subsection (d) to read as follows:

“(d)(1) Beginning October 1, 2016, the Office shall conduct a one-year pilot program to provide sign-language interpreters, upon request, for Commission meetings and subcommittee meetings; provided, that:

“(A) The Office shall establish a procedure for a Commission to submit a request for an interpreter.

“(B) The provision of an interpreter shall be subject to the availability of funding.

“(2) On April 1, 2017, the Office shall submit a report to the Council that includes the following information, current as of that date, regarding the pilot program:

“(A) The total number of interpreters requested;

“(B) The total number of requests that the Office approved;

ENROLLED ORIGINAL

“(C) The average length of time for which an interpreter was needed;
“(D) The average hourly cost of an interpreter;
“(E) The total amount spent on the pilot program; and
“(F) An assessment of the effectiveness of the pilot program, including recommendations regarding its future.”.

SUBTITLE O. CONSTITUENT SERVICES EXPENDITURE LIMIT

Sec. 1141. Short title.

This subtitle may be cited as the “Constituent Services Expenditures Limit Emergency Amendment Act of 2016”.

Sec. 1142. Section 338(a) of the Board of Ethics and Government Accountability Establishment and Comprehensive Ethics Reform Amendment Act of 2011, effective April 27, 2012 (D.C. Law 19-124; D.C. Official Code § 1-1163.38(a)), is amended by striking the phrase “expend a maximum of \$40,000” and inserting the phrase “expend a maximum of \$60,000” in its place.

SUBTITLE P. UNIVERSAL PAID LEAVE IMPLEMENTATION FUND

Sec. 1151. Short title.

This subtitle may be cited as the “Universal Paid Leave Implementation Fund Emergency Act of 2016”.

Sec. 1152. Universal Paid Leave Implementation Fund.

(a) There is established as a special fund the Universal Paid Leave Implementation Fund (“Fund”), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

(b) There shall be deposited into the Fund \$20,039,000 of local funds in Fiscal Year 2016.

(c) Money in the Fund shall be used to fund the implementation of the Universal Paid Leave Act of 2016, as introduced on October 6, 2015 (Bill 21-415).

(d)(1) The money deposited into the Fund, and interest earned, 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.

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 1153. Applicability.

This subtitle shall apply as of the effective date of this act.

ENROLLED ORIGINAL

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION**SUBTITLE A. CREATIVE AND OPEN SPACE MODERNIZATION
AMENDMENT**

Sec. 2001. Short title.

This subtitle may be cited as the “Creative and Open Space Modernization Emergency Amendment Act of 2016”.

Sec. 2002. Chapter 46 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 “Qualified High Technology Company interior renovation tax rebate” and inserting the phrase “Creative and Open Space Modernization tax rebate” in its place.

(b) Section 47-4665 is amended to read as follows:

“§ 47-4665. Creative and Open Space Modernization tax rebate.

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

“(1) “Directly related entity” means a qualified entity that is closely associated with an occupant, including:

“(A) A subsidiary or parent company of an occupant;

“(B) A special purpose vehicle of an occupant;

“(C) A holding company of an occupant;

“(D) An operating company of an occupant;

“(E) A flow-through entity of an occupant;

“(F) A company otherwise substantially sharing, directly or indirectly, common directors, officers, employees, facilities, or profits with an occupant.

“(2) “Eligible building” means:

“(A) A nonresidential building; or

“(B) A building used for both residential and nonresidential purposes.

“(3) “Eligible premises” means a nonresidential, interior portion of an eligible building that is used as an office (including ancillary uses) by a qualified entity under a lease, sublease, or purchase and sale agreement.

“(4) “Occupancy commencement” means the date on which an occupant or a directly related entity takes possession of eligible premises or the occupancy date for eligible premises agreed to in a lease, sublease, or purchase and sale agreement by an occupant, whichever occurs first.

“(5) “Occupant” means a qualified entity that executes:

“(A) A lease or sublease for at least 50,000 square feet of net rentable area of eligible premises within the District for a minimum term of 12 years, under which the qualified entity or a directly related entity occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the commencement date; or

“(B) A purchase and sale agreement for at least 50,000 square feet of net area of eligible premises within the District, under which the qualified entity or a directly related

ENROLLED ORIGINAL

entity occupies and uses the eligible premises, or will occupy and use the eligible premises, on or after the commencement date.

“(6) “Public benefit” means an undertaking by an occupant or a directly related entity that the Mayor, in the Mayor’s sole discretion, determines will have a material, positive impact on the District. The term “public benefit” may include:

“(A) Providing employment or contracting opportunities for District residents and Certified Business Enterprises;

“(B) Providing low-income or underserved individuals or communities in the District with reduced-price or free products, services, or commercial or community space;

“(C) Providing economic opportunities, training, or jobs for individuals or communities beyond those offered through the normal course of business; or

“(D) Providing innovation-and-technology-related educational, training, or internship opportunities for students in the District.

“(7)(A) “Qualified entity” means an individual or entity:

“(i) Organized for profit and leasing or owning an office in the District;

“(ii) Having 2 or more employees in the District; and

“(iii) Deriving at least 51% of its gross revenues earned in the District from:

“(I) Internet-related services and sales, including website design, maintenance, hosting, or operation; Internet-related training, consulting, advertising, or promotion services; the development, rental, lease, or sale of Internet-related applications, connectivity, or digital content; or products and services that may be considered e-commerce;

“(II) Information and communication technologies, equipment and systems that involve advanced computer software and hardware, data processing, visualization technologies, or human interface technologies, whether deployed on the Internet or other electronic or digital media, including operating and applications software; Internet-related services, including design, strategic planning, deployment, and management services and artificial intelligence; computer modeling and simulation; high-level software languages; neural networks; processor architecture; animation and full-motion video; graphics hardware and software; speech and optical character recognition; high-volume information storage and retrieval; data compression; and multiplexing, digital signal processing, and spectrum technologies;

“(III) Advanced materials and processing technologies that involve the development, modification, or improvement of one or more materials or methods to produce devices and structures with improved performance characteristics or special functional attributes, or to activate, speed up, or otherwise alter chemical, biochemical, or medical processes, including metal alloys; metal matrix and ceramic composites; advanced polymers; thin films; membranes; superconductors; electronic and photonic materials; bioactive materials; bioprocessing; genetic engineering; catalysts; waste emissions reduction; pharmaceuticals; and waste processing technologies;

ENROLLED ORIGINAL

“(IV) Engineering, production, biotechnology, and defense technologies that involve knowledge-based control systems and architectures; advanced fabrication and design processes, equipment, and tools; propulsion, navigation, guidance, nautical, aeronautical and astronautical ground and airborne systems, instruments, and equipment, including computer-aided design and engineering; computer-integrated manufacturing; robotics and automated equipment; integrated circuit fabrication and test equipment; sensors; biosensors; signal and image processing; medical and scientific instruments; precision machining and forming; biological and genetic research equipment; environmental analysis, remediation, control, and prevention equipment; defense command and control equipment; avionics and controls; guided missile and space vehicle propulsion units; military aircraft; space vehicles; and surveillance, tracking, and defense warning systems;

“(V) Electronic and photonic devices and components for use in producing electronic, optoelectronic, mechanical equipment and products of electronic distribution with interactive media content, including microprocessors; logic chips; memory chips; lasers; printed circuit board technology; electroluminescent, liquid crystal, plasma, and vacuum fluorescent displays; optical fibers; magnetic and optical information storage; optical instruments, lenses, and filters; simplex and duplex data bases; and solar cells; or

“(VI) The sale or advertising of original media content that the individual or entity transmits digitally and produces within a facility that it leases or owns inside the District that includes permitted production space utilized by the individual or entity specifically for the creation of original media content.

“(B) The term “qualified entity” shall not include:

“(i) An individual or entity that derives 51% or more of its gross revenues from the operation in the District of:

“(I) An on-line or brick and mortar retail store;

“(II) An electronic equipment facility that is primarily occupied, or intended to be occupied, by electronic and computer equipment that provides electronic data switching, transmission, or telecommunication functions between computers, both inside and outside the facility; or

“(III) A building or construction company; or

“(ii) A professional athletic team, as defined in § 47-2002.05(a)(3).

“(8) “Qualified occupant improvement” means an improvement to eligible premises made pursuant to a lease, sublease, or purchase and sale agreement by an occupant or a directly related entity that is substantially completed no later than one year after occupancy commencement.

“(9) “Total value of qualified occupant improvements” means the amount expended by an occupant or a directly related entity to make qualified occupant improvements.

“(b) An occupant that leases, subleases, or executes a purchase and sale agreement for eligible premises taxable under Chapter 8 of this title shall receive, to the extent provided by this section, a rebate of the real property tax paid with respect to the eligible premises for the portion

ENROLLED ORIGINAL

of the tax year that the eligible premises are occupied by the occupant or a directly related entity if:

“(1) The occupant is liable under the lease, sublease, or purchase and sale agreement for its proportionate share of the real property tax for the tax lot on which the eligible building is located;

“(2) The occupant has been certified as eligible for a rebate by the Mayor under subsection (e) of this section;

“(3) The real property tax has been paid for the year during which the rebate is sought;

“(4) The occupant complies with the requirements of subsection (d) of this section during the tax year for which the rebate is sought; and

“(5) No abatement of the real property tax on the eligible building pursuant to § 47-811.03 has been claimed for the tax year for which the rebate is sought.

“(c)(1) The amount of the rebate provided pursuant to this section to a single occupant or any directly related entity in a single year shall be equal to the least of the following:

“(A) 10% of the total value of any qualified occupant improvements substantially completed during the preceding 5 years, as certified by the Mayor pursuant to subsection (e)(3) of this section;

“(B) The portion of the real property tax paid during the year for which the rebate is sought, either directly or indirectly, by the occupant or by a directly related entity under the occupant’s or directly related entity’s lease, sublease, or purchase and sale agreement; or

“(C) \$1 million.

“(2) The amount of the rebate calculated pursuant to paragraph (1) of this subsection shall be reduced by the amount of any grant received by the occupant or by a directly related entity pursuant to section 3(c)(4) of the H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.172(c)(4)), as certified by the Mayor to the Office of Tax and Revenue.

“(3) No later than December 31 of the year following the tax year for which the taxes to be rebated were paid, payment of the rebate of real property tax shall be made to the person who paid the tax; provided, that the payer is eligible to receive the rebate payment.

“(d) No later than September 15 of the tax year in which the tax was paid as provided under § 47-811, the Mayor shall certify to the Office of Tax and Revenue, in a form and medium specified by the Office of Tax and Revenue, each property or portion thereof eligible to receive the rebate provided by this section and the amount of the rebate. The certification shall be accompanied by a statement from the Mayor specifying the amount of funds available under subsection (f) of this section for real property tax abatement for each property identified in the certification. The rebate paid for any property shall not exceed the amount of tax paid with respect to such property for the tax year, taking into account any other applicable abatements, exemptions, or reductions. Each applicant for a rebate shall furnish to the Mayor:

ENROLLED ORIGINAL

“(1) A copy of the occupant’s lease, sublease, or purchase and sale agreement including any provisions requiring the occupant to pay a portion of the property tax for the tax lot on which the eligible building is located;

“(2) Documentation that the occupant has paid its proportional share of the real property tax to date, as required under the lease, sublease, or purchase agreement for the eligible premises, to be supplemented by the occupant once it has made its final payment for the calendar year; and

“(3) An itemization of the square footage of the eligible premises actually occupied by the occupant or a directly related entity and the period of such occupancy during the tax year.

“(e)(1) An occupant who seeks to be considered eligible for a rebate provided under this section shall file with the Mayor on or after June 1, 2016, in a manner and form as the Mayor may prescribe, an eligibility certification application, which shall include:

“(A) The identity of the occupant, including the occupant’s taxpayer identification number, and the identity of any directly related entity that may be occupying all or part of the eligible premises, including the directly related entity’s taxpayer identification number;

“(B) A description of the eligible building, by square and lot, parcel, or reservation number, and of the eligible premises, including floors, location, and square footage;

“(C) The estimated cost of making any qualified occupant improvements to the eligible premises;

“(D) The date of occupancy commencement and the anticipated duration of the lease or sublease or the holding period if purchased;

“(E) A description of the public benefit that the occupant proposes to furnish; and

“(F) Any other information that the Mayor considers necessary.

“(2) The Mayor shall review the occupant’s eligibility certification application. If the Mayor determines that the occupant has proposed to furnish a public benefit and that the tenant is otherwise eligible, the Mayor shall certify the tenant’s eligibility to receive a rebate pursuant to this section. The certification shall be made before the date of occupancy commencement or within 45 days after the eligibility certification application is received, whichever is later in time.

“(3) Within 60 days following substantial completion of qualified occupant improvements, the occupant shall submit to the Mayor an itemization of the total value of qualified occupant improvements, together with supporting documentation. Within 60 days following the receipt of this submission, the Mayor shall review and certify the total value of qualified occupant improvements.

“(4) No later than the date the certification is made as provided in subsection (d) of this section, the Mayor shall certify to the Office of Tax and Revenue whether the tenant has furnished or has made substantial progress toward furnishing a public benefit. If the Mayor

ENROLLED ORIGINAL

certifies that a tenant has not furnished or made substantial progress toward furnishing a public benefit, the Office of Tax and Revenue shall not pay a rebate to the tenant for that calendar year.

“(5) If at any time the Mayor determines that an occupant has become ineligible for a rebate under this section, either for failure to make substantial progress toward furnishing a public benefit or for some other reason, the Mayor immediately shall notify the Office of Tax and Revenue and thereafter the Office of Tax and Revenue shall not pay to the tenant any rebate pursuant to this section.

“(f) Notwithstanding any other provision of this section, the total combined rebate payments per fiscal year for all occupants under this section, beginning in Fiscal Year 2017, shall not exceed \$3 million.”.

Sec. 2003. Section 301(d-1) of the National Capital Revitalization Corporation and Anacostia Waterfront Corporation Reorganization Act of 2008, effective March 26, 2008 (D.C. Law 14-138; D.C. Official Code § 2-1225.21(d-1)), is amended to read as follows:

“(d-1) In Fiscal Year 2017 and each fiscal year thereafter, up to \$3 million in monies credited to the Account may be used to fund real property tax rebates under D.C. Official Code § 47-4665.”.

Sec. 2004. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE B. INAUGURAL CELEBRATION AMENDMENT

Sec. 2011. Short title.

This subtitle may be cited as the “Inaugural Celebration Emergency Amendment Act of 2016”.

Sec. 2012. Section 25-723(e)(1) of the District of Columbia Official Code is amended by striking the phrase “designated “Inaugural Week.”” and inserting the phrase “designated “Inaugural Week””; except, that in 2017, January 14 through January 22 shall be designated “Inaugural Week.”” in its place.

SUBTITLE C. REIMBURSABLE DETAIL SUBSIDY PROGRAM AMENDMENT

Sec. 2021. Short title.

This subtitle may be cited as the “Reimbursable Detail Subsidy Program Emergency Amendment Act of 2016”.

Sec. 2022. Section 25-798 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase “or in a group,” and inserting the phrase “or in a group, or a promoter or organizer of a pub crawl event, as defined by rule,” in its place.

ENROLLED ORIGINAL

(b) Subsection (c) is amended by striking the phrase “the licensee.” and inserting the phrase “the licensee, or licensees, or the promoter or organizer of a pub crawl event.” in its place.

SUBTITLE D. WALTER REED DEVELOPMENT OMNIBUS

Sec. 2031. Short title.

This subtitle may be cited as the "Walter Reed Development Omnibus Emergency Amendment Act of 2016".

Sec. 2032. Section 7(d) of the Walter Reed Development Omnibus Act of 2016, effective May 18, 2016 (D.C. Law 21-119; 63 DCR 4678), is amended to read as follows:

“(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Office of the Deputy Mayor for Planning and Economic Development shall have the authority to make grants from the Fund to the Developer for the purposes set forth in subsection (c) of this section.”.

Sec. 2033. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. DMPED GRANT-MAKING AUTHORITY AMENDMENT

Sec. 2041. Short title.

This subtitle may be cited as the “Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Emergency Amendment Act of 2016”.

Sec. 2042. Section 2032 of the Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority Act of 2012, effective September 20, 2012 (D.C. Law 19-168; D.C. Official Code § 1-328.04), is amended by adding new subsections (d) and (e) to read as follows:

“(d) Notwithstanding section 1094 of the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.13), the Deputy Mayor shall have grant-making authority for the purpose of providing:

“(1) Funds as may be necessary to implement projects that are part of the New Communities Initiative, as that term is defined in section 3(b)(11)(B) 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)(11)(B)); provided, that such funds are included in the approved operating budget for the New Communities Initiative program or the approved capital budget for the New Communities Initiative project;

“(2) Funds to the Washington Convention Center Marketing Fund established by section 208a of the Washington Convention Center Authority Act of 1994, effective August 12, 1998 (D.C. Law 12-142; D.C. Official Code § 10-1202.08a), to supplement funds included in an approved budget for marketing-service contracts pursuant to subsections (e) and (e-1) of that section; and

ENROLLED ORIGINAL

“(3) Funds to the Washington DC Economic Partnership; provided, that such funds are included in an approved budget and designated for the Washington DC Economic Partnership.

“(e) In addition to the grant-making authority provided in subsection (d) of this section, the Deputy Mayor shall have the authority to transfer funds to Events DC pursuant to a Memorandum of Agreement or Memorandum of Understanding between the Deputy Mayor and Events DC.”.

SUBTITLE F. ENTERTAINMENT AND MEDIA PRODUCTION AMENDMENT

Sec. 2051. Short title.

This subtitle may be cited as the “Office of Cable Television, Film, Music, and Entertainment Clarification Emergency Amendment Act of 2016”.

Sec. 2052. The Office of Cable Television, Film, Music, and Entertainment Amendment Act of 2015, effective October 9, 2002 (D.C. Law 14-193; D.C. Official Code § 34-1251.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 34-1252.01) is amended as follows:

(1) Subsection (a)(3) is amended as follows:

(A) The lead-in language is amended by striking the phrase “an entertainment industry in the District” and inserting the phrase “a sustainable creative economy and entertainment and media industry in the District” in its place.

(B) Subparagraph (E) is amended by striking the phrase “television shows and films” and inserting the phrase “entertainment industry projects” in its place.

(C) Subparagraph (F) is amended by striking the phrase “, including television shows and films”.

(2) Subsection (e) is amended by striking the word “Programming” and inserting the phrase “Programming, or an equivalent position,” in its place.

(b) Section 202 (D.C. Official Code § 34-1252.02) is amended as follows:

(1) Paragraph (8A) is amended as follows:

(A) The lead-in language is amended by striking the phrase “studios and equipment” and inserting the phrase “studios, facilities, and equipment” in its place.

(B) Subparagraph (A) is amended by striking the phrase “studios or” and inserting the phrase “studios, facilities, or” in its place.

(2) Paragraph (16) is amended by striking the phrase “funds from nonprofit and” and inserting the phrase “funds from private, nonprofit, and” in its place.

(3) Paragraph (19) is amended by striking the word “and”.

(4) Paragraph (20) is amended by striking the period and inserting the phrase “; and” in its place.

(5) A new paragraph (21) is added to read as follows:

“(21) Establish written formal, collaborative arrangements (sometimes called partnerships) with private and nonprofit entities to implement the purposes of this act.”.

ENROLLED ORIGINAL

(c) Section 203 (D.C. Official Code § 34-1252.03) is amended as follows:

(1) The heading is amended by striking the phrase “Cable Television” and inserting the acronym “OCTFME” in its place.

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

(A) Strike the phrase “Cable Television” both times it appears and insert the acronym “OCTFME” in its place.

(B) Strike the phrase “operation of a cable system” and insert the phrase “operation of the industries under this act” in its place.

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

(A) Paragraph (3) is amended by striking the word “and”.

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

“(3A) Fees derived from film permits applied for or issued pursuant to section 2d of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11d);”.

(C) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(5) All interest earned on all deposits.”.

Sec. 2053. Section 2e of the Film DC Economic Incentive Act of 2006, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 2-1204.11e), is repealed.

SUBTITLE G. DMPED PROCUREMENT EXEMPTION CLARIFICATION

Sec. 2061. Short title.

This subtitle may be cited as the “DMPED Procurement Exemption Clarification Emergency Amendment Act of 2016”.

Sec. 2062. Section 201 of 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 § 2-1225.11), is amended by adding a new subsection (b-1) to read as follows:

“(b-1) Any contract between the Deputy Mayor for Planning and Economic Development and a developer for the development of Square 3128 related to Zoning Commission Order No. Z.C. 13-14, or amendment to that order, shall not be subject to titles IV, V, and VI, and sections 702 and 1101 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*)”.

SUBTITLE H. BUSINESS IMPROVEMENT DISTRICTS CHARTER RENEWAL

Sec. 2071. Short title.

This subtitle may be cited as the “Business Improvement Districts Charter Renewal Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 2072. The Business Improvement Districts Act of 1996, effective May 29, 1996 (D.C. Law 11-134; D.C. Official Code § 2-1215.01 *et seq.*), is amended as follows:

(a) Section 19(a)(1)(B) (D.C. Official Code § 2-1215.18(a)(1)(B)), is amended to read as follows:

“(B) The BID submits a plan for the next 5 years of BID operations to the Mayor; and”.

(b) Section 24(b) (43 DCR 1698) is repealed.

SUBTITLE I. PREGNANT WORKERS PROTECTION

Sec. 2081. Short title.

This subtitle may be cited as the “Protecting Pregnant Workers Fairness Emergency Amendment Act of 2016”.

Sec. 2082. The Protecting Pregnant Workers Fairness Act of 2014, effective March 3, 2015 (D.C. Law 20-168; D.C. Official Code § 32-1231.01 *et seq.*), is amended as follows:

(a) Section 2(2) (D.C. Official Code § 32-1231.01(2)) is amended as follows:

(1) Subparagraph (F) is amended by striking the word “or”.

(2) Subparagraph (G) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new subparagraph (H) is added to read as follows:

“(H) Time off due to pre-birth complications.”.

(b) Section 4 (D.C. Official Code § 32-1231.03) is amended as follows:

(1) Paragraph (4) is amended by striking the word “or” at the end.

(2) Paragraph (5) is amended by striking the period and inserting the phrase “; or” in its place.

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

“(6) Take an adverse action against an employee who has been absent from work as a result of a pregnancy-related condition, including a pre-birth complication.”.

SUBTITLE J. ACCRUED SICK AND SAFE LEAVE AMENDMENT

Sec. 2091. Short title.

This subtitle may be cited as the “Accrued Sick and Safe Leave Emergency Amendment Act of 2016”.

Sec. 2092. The Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01 *et seq.*), is amended as follows:

(a) Section 6(b)(1) (D.C. Official Code § 32-131.05(b)(1)) is amended by striking the phrase “(3); or” and inserting the phrase “(3); and” in its place.

(b) Section 7(b) (D.C. Official Code § 32-131.06(b)) is amended by striking the phrase “agreement.” and inserting the phrase “agreement that expressly waives the requirements in clear and unambiguous terms.” in its place.

ENROLLED ORIGINAL

SUBTITLE K. ADULT CAREER PATHWAYS IMPLEMENTATION

Sec. 2101. Short title.

This subtitle may be cited as the "Adult Career Pathways Implementation Emergency Amendment Act of 2016".

Sec. 2102. Section 14(d)(2)(D) of the District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 947; D.C. Official Code § 51-114(d)(2)(D)), is amended by striking the phrase "Administrative Fund may be used" and inserting the phrase "Administrative Fund, or other sources of workforce development funding, may be used" in its place.

SUBTITLE L. UNEMPLOYMENT BENEFITS MODERNIZATION

Sec. 2111. Short title.

This subtitle may be cited as the "Unemployment Benefits Modernization Emergency Amendment Act of 2016".

Sec. 2112. The District of Columbia Unemployment Compensation Act, approved August 28, 1935 (49 Stat. 946; D.C. Official Code § 51-101 *et seq.*), is amended as follows:

(a) Section 1(5) (D.C. Official Code § 51-101(5)) is amended as follows:

(1) Strike the figure "80%" and insert the figure "66%" in its place.

(2) Strike the figure "\$20" and insert the figure "\$50" in its place.

(b) Section 7 (D.C. Official Code § 51-107) is amended as follows:

(1) Subsection (a) is amended by striking the last sentence.

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

"(b)(1) Subject to the limitations set forth in this section, an individual's weekly benefit amount shall be equal to one twenty-sixth (computed to the next higher multiple of \$1) of the individual's total wages for insured work paid during the quarter of the individual's base period in which such total wages were highest.

"(2) Effective October 1, 2016, the maximum weekly benefit amount shall be \$425.

"(3)(A) Effective January 1, 2018, and for each calendar year thereafter, the maximum weekly benefit amount shall be determined by the Director of the Department of Employment Services, subject to subparagraph (D) of this paragraph, by using the Department of Labor State Benefit Financing Model.

"(B) The Director shall consider increasing the maximum weekly benefit amount in proportion to any increase in the Consumer Price Index for Urban Consumers in the Washington Metropolitan Statistical Area, published by the United States Department of Labor's Bureau of Labor Statistics, in making a determination, but may increase the maximum weekly benefit amount by a lesser amount, or may not increase it, when necessary to preserve an adequate balance in the District Unemployment Compensation Trust Fund through the Financial Plan.

ENROLLED ORIGINAL

“(C)(i) By September 30, 2017, and by September 30 of each subsequent year, the Director shall recommend to the Mayor the maximum weekly benefit amount, which shall become the maximum weekly benefit amount for the next calendar year, unless the Council passes a resolution disapproving the Director’s recommendation pursuant to sub-subparagraph (ii) of this subparagraph.

“(ii) The Mayor shall promptly submit the recommendation, with a proposed resolution, to the Council for a 45-day period of review. If the Council does not approve or disapprove the recommendation, by resolution, within the 45-day period of review, the recommendation shall be deemed approved.

“(D) If the Council passes a resolution of disapproval, the maximum weekly benefit amount then in effect shall continue in effect for the next calendar year.”.

(3) Subsection (d) is amended by striking the phrase “or 50% of the wages for employment paid to such individual by employers during his base period whichever is the lesser”.

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

(A) Strike the figure “\$20” and insert the figure “\$50” in its place.

(B) Strike the figure “80%” and insert the figure “66%” in its place.

(5) Subsection (f) is amended by striking the phrase “this section shall not apply” and inserting the phrase “this subsection shall not apply” in its place.

(c) Section 8 (D.C. Official Code § 51-108) is amended by striking the last sentence and inserting the following sentence in its place:

“All payments of benefits shall be made by the Chief Financial Officer and shall be subject to a subsequent, but not a prior, audit by the Office of the Inspector General.”.

SUBTITLE M. TOPA APPLICATION-ASSISTANCE PILOT PROGRAM

Sec. 2121. Short title.

This subtitle may be cited as the “TOPA Application-Assistance Pilot Program Emergency Amendment Act of 2016”.

Sec. 2122. 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 by adding a new section 414 to read as follows:

“Sec. 414. TOPA Application-Assistance Pilot Program.

“(a) For Fiscal Year 2017, there is established a TOPA Application-Assistance Pilot Program (“Program”) to help tenant organizations prepare their applications to the First Right Purchase Assistance Program described at Chapter 27 of Title 14 of the District of Columbia Municipal Regulations (14 DCMR § 2700 *et seq.*). The Program shall complement the First Right Purchase Assistance Program, and shall include funding for pre-application legal and technical assistance, including assistance with environmental studies.

“(b) A tenant organization in a building of 5 or more units shall be eligible for the Program if the tenant organization meets the eligibility requirements of 14 DCMR § 2701 for

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tenant associations. A property shall be eligible for the Program if the property meets the eligibility requirements of 14 DCMR § 2703.

“(c) The Mayor shall ensure that the agency administering the Program:

“(1) Approves or denies an application for the Program within 15 days of receiving the completed application from a tenant organization;

“(2) Issues an award letter or denies an application for the First Right Purchase Assistance Program within 30 days of receiving the completed application from a tenant organization;

“(3) Reimburses an invoice received from a tenant organization for Program expenditures or First Right Purchase Assistance Program expenditures within 30 days of receipt; and

“(4) Expeditiously administers the Program and the First Right Purchase Assistance Program in a manner that allows tenant organizations to meet all deadlines required by this title.

“(d) The maximum amount of pre-application legal and technical assistance that may be awarded to a tenant organization per TOPA offer is as follows:

“(1) Up to \$25,000 for a tenant organization in a building with 5 to 50 units; and

“(2) Up to \$45,000 for a tenant organization in a building with greater than 50 units.

“(e) Funds shall not be used to pay for any costs of litigation.

“(f) If a tenant organization, or the entity to which a tenant organization assigns its rights under this title, successfully purchases a property, the full amount of any assistance provided pursuant to this section shall be repaid to the Program within 30 days of the purchase of the property.

“(g) By November 1, 2016, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this section. The rules shall mandate processes for the application for, and distribution of, funds in a timely manner so as to facilitate successful compliance with the required timelines and purposes of this section.”.

Sec. 2123. Section 2009(c) of the Fiscal Year 2009 Budget Support Act of 2008, effective August 16, 2008 (D.C. Law 17-219; D.C. Official Code § 42-2857.01(c)), is amended as follows:

(a) Paragraph (15) is amended by striking the word “and”.

(b) Paragraph (16) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(17) To provide funding for the TOPA Application Assistance Pilot Program established by section 414 of the Rental Housing Conversion and Sale Act of 1980, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669); provided, that funding from the Unified Fund for the program shall not exceed the amount available in the Unified Fund.”.

ENROLLED ORIGINAL

Sec. 2124. Sunset.

This subtitle shall expire on September 30, 2017.

SUBTITLE N. RETAIL PRIORITY AREA AMENDMENT

Sec. 2131. Short title.

This subtitle may be cited as the “Retail Priority Area Emergency Amendment Act of 2016”.

Sec. 2132. The H Street, N.E., Retail Priority Area Incentive Act of 2010, effective April 8, 2011 (D.C. Law 18-354; D.C. Official Code § 1-325.171 *et seq.*), is amended as follows:

(a) Section 3(c)(3) (D.C. Official Code § 1-325.172(c)(3)) is amended to read as follows:

“(3) Beginning October 1, 2015, and ending September 30, 2017, make grants to support revitalization programs pursuant to section 4b of the Retail Incentive Act of 2004, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 2-1217.73b). Grants may be awarded for revitalization programs within any of the Retail Priority Areas established by or pursuant to section 4 of the Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.73).”.

(b) Section 4 (D.C. Official Code § 1-325.173) is amended by adding a new subsection (d) to read as follows:

“(d) (1) A grant made available under this section shall be divided into thirds or fourths and disbursed accordingly in allotments to a grantee.

“(2)(A) The Mayor shall request, and a grantee shall furnish, a receipt or receipts for the purpose of confirming that a grantee’s expenditure of grant funds was allowable.

“(B) Notwithstanding subparagraph (A) of this paragraph, unless the grantee fails to provide a receipt or receipts, the grantee’s response shall not delay disbursement of the grantee’s next allotment, except for the final allotment. Funds shall be made available to the grantee as quickly as possible.

“(C) Nothing in this paragraph shall be construed to authorize the expenditure of grant funds inconsistent with their purpose.”.

Sec. 2133. The Retail Incentive Act of 2004, effective September 8, 2004 (D.C. Law 15-185; D.C. Official Code § 2-1217.71 *et seq.*), is amended as follows:

(a) Section 4 (D.C. Official Code § 2-1217.73) is amended as follows:

(1) Subsection (i) is amended by striking the word “Macomb” and inserting the word “Calvert” in its place.

(2) Subsection (n) is amended by striking the phrase “Tenley Circle” and inserting the phrase “R Street” in its place.

(b) Section 4b(b) (D.C. Official Code § 2-1217.73b(b)) is amended by adding a new paragraph (4) to read as follows:

“(4)(A) A grant made available under this section shall be divided into thirds or fourths and disbursed accordingly in allotments to a grantee.

ENROLLED ORIGINAL

“(B)(i) The Mayor shall request, and a grantee shall furnish, a receipt or receipts for the purpose of confirming that a grantee’s expenditure of grant funds was allowable.

“(ii) Notwithstanding sub-subparagraph (i) of this subparagraph, unless the grantee fails to provide a receipt or receipts, the grantee’s response shall not delay disbursement of the grantee’s next allotment, except for the final allotment. Funds shall be made available to the grantee as quickly as possible.

“(iii) Nothing in this subparagraph shall be construed to authorize the expenditure of grant funds inconsistent with their purpose.”.

Sec. 2134. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE O. WORKFORCE INVESTMENT COUNCIL MEMBERSHIP

Sec. 2141. Short title.

This subtitle may be cited as the “Workforce Investment Council Membership Clarification Emergency Amendment Act of 2016”.

Sec. 2142. Section 4(e) of the Workforce Investment Implementation Act of 2000, effective July 18, 2000 (D.C. Law 13-150; D.C. Official Code § 32-1603(e)), is amended to read as follows:

“(e) The Mayor shall appoint members of the Workforce Investment Council in a manner consistent with the requirements of section 101 of the Workforce Innovation and Opportunity Act, approved July 22, 2014 (128 Stat. 1440; 29 U.S.C. § 3111); provided, that the Workforce Investment Council shall include 2 members of the Council of the District of Columbia appointed by the Chairman of the Council of the District of Columbia.”.

SUBTITLE P. ARTS AND HUMANITIES COMPETITIVE GRANTS

Sec. 2151. Short title.

This subtitle may be cited as the “Commission on the Arts and Humanities Competitive Grants Emergency Act of 2016”.

Sec. 2152. In Fiscal Year 2017, the Commission on the Arts and Humanities shall award, on a competitive basis, grants in an amount totaling \$2.5 million to:

(1) Support the establishment of a children’s museum in the Central Business District, as defined in Title 11 of the District of Columbia Municipal Regulations, in an amount not to exceed \$1 million;

(2) Provide a literary-enrichment program for District of Columbia Public Schools and public charter schools that includes the provision of copies of literature and curricular materials and author visits for literary discussion with students, in an amount not to exceed \$200,000;

(3) Provide orchestral performances with supporting community engagement

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events, in an amount not to exceed \$50,000;

(4) Provide support for a theatre in the Central Business District that is operated by a nonprofit organization, in an amount not to exceed \$1 million; and

(5) Provide support for an organization dedicated to preserving the history of African-American involvement in the American Civil War, in an amount not to exceed \$250,000.

SUBTITLE Q. WORKERS' COMPENSATION LIEN RECONCILIATION

Sec. 2161. Short title.

This subtitle may be cited as the "Workers' Compensation Lien Reconciliation Emergency Amendment Act of 2016".

Sec. 2162. Section 3(f-1) of the District of Columbia Workers' Compensation Act of 1979, effective July 1, 1980 (D.C. Law 3-77; D.C. Official Code § 32-1535(f-1)), is amended by striking the word "settlement" and inserting the phrase "total recovery" in its place.

SUBTITLE R. NATIONAL CHERRY BLOSSOM FESTIVAL FUNDRAISING MATCH

Sec. 2171. Short title.

This subtitle may be cited as the "National Cherry Blossom Festival Fundraising Match Emergency Act of 2016".

Sec. 2172. In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency, \$300,000 shall be transferred to the Washington Convention and Sports Authority to administer a matching grant program to support the National Cherry Blossom Festival. A matching grant of \$300,000 shall be awarded to a nonprofit organization that organizes and produces an event or events as part of the official, month-long National Cherry Blossom Festival. The grant shall be paid dollar-for-dollar for corporate donations above \$750,000 raised by the nonprofit for the festival by March 31, 2017. Any matching grant awarded under this section shall be in addition to any other grants awarded by the Washington Convention and Sports Authority in support of the National Cherry Blossom Festival.

TITLE III. PUBLIC SAFETY AND JUSTICE**SUBTITLE A. COG PROCUREMENT AUTHORIZATION**

Sec. 3001. Short title.

This subtitle may be cited as the "Placement of Orders with Governmental Entities Emergency Amendment Act of 2016".

Sec. 3002. Section 1 of An Act To grant additional powers to the Commissioners of the District of Columbia, and for other purposes, approved December 20, 1944 (58 Stat. 819; D.C. Official Code § 1-301.01), is amended as follows:

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(a) Subsection (j-1)(1) is amended by striking the phrase “for materials” and inserting the phrase “for the provision or receipt of materials” in its place.

(b) A new subsection (j-2) is added to read as follows:

“(j-2) Placement of orders with the Metropolitan Washington Council of Governments – Notwithstanding the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code § 2-351.01 *et seq.*), the Mayor may contract with the Metropolitan Washington Council of Governments for the provision or receipt of materials, supplies, equipment, work, or services of any kind. Contracts executed pursuant to this subsection shall be considered obligations upon appropriations in the same manner as orders or contracts executed pursuant to subsections (j) or (k) of this section.”.

**SUBTITLE B. RECIPROCAL AGREEMENTS FOR MUTUAL AID
AMENDMENT**

Sec. 3011. Short title.

This subtitle may be cited as the “Reciprocal Agreements for Mutual Aid Emergency Amendment Act of 2016”.

Sec. 3012. An Act To provide for a mutual-aid plan for fire protection by and for the District of Columbia and certain adjacent communities in Maryland and Virginia, and for other purposes, approved August 14, 1950 (64 Stat. 441; D.C. Official Code § 5-414), is amended as follows:

(a) Section 1 (D.C. Official Code § 5-414(a)) is amended to read as follows:

“(a) The Mayor is hereby authorized in his or her discretion to enter into and to renew reciprocal agreements, for such period as he or she deems advisable, with the appropriate county, municipal, and other governmental units in Prince George's and Montgomery Counties, Maryland, and Arlington, Fairfax, and Loudon Counties, Virginia, with the City of Alexandria, Virginia, with the City of Fairfax, Virginia, with the City of Falls Church, Virginia, and with incorporated or unincorporated fire departments, fire companies, and organizations of fire personnel in such counties and cities, in order to establish and carry into effect a plan to provide mutual aid, through the furnishing of firefighting personnel and equipment, by and for the District of Columbia and such counties and cities, for the extinguishment of fires and for the preservation of life and property in emergencies, in the District and in such counties and cities.”.

(b) Section 2 (D.C. Official Code § 5-414(b)) is amended by striking the phrase “The District of Columbia” and inserting the phrase “The Mayor” in its place.

(c) Section 3 (D.C. Official Code § 5-414(c)) is amended to read as follows:

“(c) The Mayor may make available to the federal government, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, and any other local or regional authority or intergovernmental organization, personnel and equipment of the Fire and Emergency Medical Services Department to extinguish fires, and to save lives, on property of the federal government, the Washington Metropolitan Area Transit Authority, the Metropolitan Washington Council of Governments, or another local or regional authority of

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which the District is a member or intergovernmental organization to which the District or any of its offices or agencies belongs in Prince George's and Montgomery Counties, Maryland; Arlington, Fairfax, and Loudon Counties, Virginia; the City of Alexandria, Virginia; the City of Fairfax, Virginia; and the City of Falls Church, Virginia.”.

(d) Section 4 (D.C. Official Code § 5-414(d)) is amended as follows:

(1) Strike the phrase “Fire Department” wherever it appears and insert the phrase “Fire and Emergency Medical Services Department” in its place.

(2) Strike the word “his” and insert the phrase “his or her” in its place.

SUBTITLE C. PUBLIC SAFETY EXECUTIVE PAY SCHEDULE AMENDMENT

Sec. 3021. Short title.

This subtitle may be cited as the “Executive Service Pay Schedule Emergency Amendment Act of 2016”.

Sec. 3022. 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 1052 (D.C. Official Code § 1-610.52) is amended as follows:

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

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

“(2) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of

“(A) \$292,520 for Kaya Henderson, as Chancellor of the District of Columbia Public Schools (“Chancellor”).

“(B) \$197,245 for Tanya A. Royster, MD, as Director of the Department of Behavioral Health, effective August 3, 2015;

“(C) \$200,335 for LaQuandra S. Nesbitt, MD, MPH, as Director of the Department of Health, effective January 26, 2015; and

“(D) \$221,450 for Christopher Weaver, Director of the Department of General Services, effective September 9, 2015.”.

(B) Paragraph (2A) is repealed.

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

(i) Designate the existing text as subparagraph (A).

(ii) The newly designated subparagraph (A) is amended by striking the phrase “levels of compensation as provided in paragraphs (2) and (2A)” and inserting the phrase “level of compensation as provided in paragraph (2)” in its place.

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

“(B)(i) Notwithstanding subparagraph (A) of this paragraph or any other provision of law, the Chancellor may be paid a recognition and renewal bonus of 5% of her annual base salary in 2016 and a performance bonus of up to 10% of her annual base salary for goals achieved by the end of the 2016-17 school year.

ENROLLED ORIGINAL

“(ii) In addition to such other benefits as the Chancellor may be entitled to receive under existing law and regulation, and notwithstanding subparagraph (A) of this paragraph and section 1058, the Mayor may make:

“(I) A separation payment to the Chancellor of up to 24 weeks of the Chancellor’s base salary if the Chancellor’s contract is terminated for a reason other than criminal conduct, gross dereliction of duty, or gross misconduct; and

“(II) A payment to the Chancellor’s executors, legal representatives, or administrators in the amount of 1/12 of the Chancellor’s annual salary if the Chancellor dies during her term of employment.”.

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

“(4)(A) The existing level of compensation for the position in paragraph (2)(A) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Chancellor, who takes office after February 24, 2012. The Chancellor shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

“(B) The existing level of compensation for the position in paragraph (2)(B) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of Behavioral Health, who takes office after August 3, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

“(C) The existing level of compensation for the position in paragraph (2)(C) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of Health, who takes office after January 26, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.

“(D) The existing level of compensation for the position in paragraph (2)(D) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Department of General Services, who takes office after September 9, 2015. The Director shall be subject to compensation within the limits of the DX Schedule, except as provided by this act.”.

(2) Subsection (b-1) is repealed.

(b) Section 1052a (D.C. Official Code § 1-610.52a) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “who are required to hold a medical degree or another advanced health-related degree”.

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

“(b)(1) The Mayor shall designate the appropriate pay level for each subordinate agency head within the public safety cluster based on market analyses considering the qualifications and work experience of each individual appointee, and other relevant criteria; provided, that each subordinate agency head within the public safety cluster shall be subject to compensation within the limits of the DX Public Safety Schedule unless otherwise authorized by an act of the Council.

ENROLLED ORIGINAL

“(2) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of \$253,817 for Cathy Lanier, as Chief of the Metropolitan Police Department.

“(3) The existing level of compensation for the position in paragraph (2) of this subsection shall not be used as the basis for determining the salary of an officeholder in the position of Chief of the Metropolitan Police Department, who takes office after February 24, 2012. The Chief of the Metropolitan Police Department shall be subject to compensation within the limits of the DX Public Safety Schedule, except as provided by this act.

“(4)(A) Notwithstanding paragraph (1) of this subsection, the Council approves a compensation level of:

“(i) \$215,035 for Chris T. Geldart, as Director of the Homeland Security and Emergency Management Agency, retroactive to May 4, 2015.

“(ii) \$203,425 for Gregory M. Dean, as Chief of the Fire and Emergency Medical Services Department, retroactive to May 4, 2015.

“(B) The level of compensation for the positions as approved in subparagraph (A) of this paragraph shall not be used as the basis for determining the salary of an officeholder in the position of Director of the Homeland Security and Emergency Management Agency or the position of Chief of the Fire and Emergency Medical Services Department.”.

Sec. 3023. Section 2903(b) of the Establishment of the Office of the Chief Medical Examiner Act of 2000, effective October 19, 2000 (D.C. Law 13-172; D.C. Official Code § 5-1402(b)), is amended by striking the phrase “, to be paid at an annual rate of \$206,000,”.

Sec. 3024. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. ANATOMICAL BOARD REPEAL

Sec. 3031. Short title.

This subtitle may be cited as the “Anatomical Board Repeal Emergency Amendment Act of 2016”.

Sec. 3032. An Act For the promotion of anatomical science and to prevent the desecration of graves in the District of Columbia, approved April 29, 1902 (32 Stat.173; D.C. Official Code § 3-201 *et seq.*), is repealed.

Sec. 3033. Section 6(h)(4)(C)(i) of the District of Columbia Funeral Services Regulatory Act of 1984, effective May 22, 1984 (D.C. Law 5-84; D.C. Official Code § 3-405(h)(4)(C)(i)), is amended by striking the phrase “The Anatomical Board, human tissue banks, and anatomical gifts;” and inserting the phrase “Human tissue banks and anatomical gifts;” in its place.

ENROLLED ORIGINAL

SUBTITLE E. FIRE OFFICIALS SERVICE LONGEVITY AMENDMENT

Sec. 3041. Short title.

This subtitle may be cited as the “Fire and Emergency Medical Services Department Chief Officers Service Longevity Emergency Amendment Act of 2016”.

Sec. 3042. Section 401(a)(1) of the District of Columbia Police and Firemen’s Salary Act of 1958, approved August 1, 1958 (72 Stat. 484; D.C. Official Code § 5-544.01(a)(1)), is amended by striking the phrase “contained in section 101, an amount computed in accordance with the following table:” and inserting the phrase “contained in section 101, as modified pursuant to section 506a, an amount computed in accordance with the following table; provided, that for each Assistant Fire Chief, Deputy Fire Chief, and Battalion Fire Chief in active service, longevity pay shall be calculated based on the Class and Service Step that the member occupies.” in its place.

SUBTITLE F. FEMS PRESUMPTIVE DISABILITY IMPLEMENTATION

Sec. 3051. Short title.

This subtitle may be cited as the “Fire and Emergency Medical Services Presumptive Disability Implementation Emergency Amendment Act of 2016”.

Sec. 3052. Subtitle D of the Fire and Police Medical Leave and Limited Duty Amendment Act of 2004, effective May 1, 2013 (D.C. Law 19-311; D.C. Official Code § 5-651 *et seq.*), is amended as follows:

(a) Section 651 (D.C. Official Code § 5-651) is amended as follows:

(1) Paragraph (6) is amended by striking the word “Department” and inserting the phrase “Department who is employed by the Department”.

(2) Paragraph (7) is amended to read as follows:

“(7) “Pre-employment physical examination” means the physical examination required under section 721 of the Police and Fire Minimum Standards Amendment Act of 2004, effective September 30, 2004 (D.C. Law 15-194; D.C. Official Code § 5-451).”.

(b) Section 653 (D.C. Official Code § 5-653) is amended as follows:

(1) Subsection (a)(1) is amended by striking the word “throat” and inserting the word “respiratory” in its place.

(2) Subsection (b)(1) is amended by striking the word “throat” and inserting the word “respiratory” in its place.

(c) New sections 655a, 655b, and 655c are added to read as follows:

“Sec. 655a. Physical examinations; maintaining eligibility.

“(a) In order to be eligible to make a claim under this title that relies on a presumption created by this subtitle, a member shall, in addition to meeting any other requirements as required by this subtitle or rules issued pursuant to section 655c, have undergone a pre-employment physical examination and complied with any subsequent physical examination

ENROLLED ORIGINAL

requirements, such as annual physical examinations, that are, or were during the period of covered service, applicable to all members.

“(b) In order to be eligible to make a claim under this title that relies on a presumption created by this subtitle, an EMS employee shall, in addition to meeting any other requirements as required by this subtitle or rules issued pursuant to section 655c, have undergone a pre-employment physical examination and complied with any subsequent physical examination requirements, such as annual physical examinations, that are, or were during the period of covered service, applicable to all EMS employees.

“(c) For any member or EMS employee hired after May 1, 2013, the District may require additional, appropriate laboratory and other diagnostic studies to be included as part of the pre-employment physical examination; provided, that any such requirements shall be applicable to all members or EMS employees.

“Sec. 655b. Reporting requirements.

“By January 31, 2018, and by January 31 of each subsequent year, the Department, in coordination with the Police and Fire Clinic, shall submit an annual report to the Council that contains the following information from the preceding calendar year:

“(1) The total number of claims made by members in which a presumption was created under section 652;

“(2) The total number of claims made by EMS employees in which a presumption was created under section 652;

“(3) The total number of claims made by members in which a presumption was created under section 653;

“(4) The total number of claims made by EMS employees in which a presumption was created under section 653;

“(5) The total number of claims made by members in which a presumption was created under section 654; and

“(6) The total number of claims made by EMS employees in which a presumption was created under section 654.

“Sec. 655c. 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.”

(d) Section 656 is amended to read as follows:

“Sec. 656. Applicability.

“(a) Except as provided in subsection (b) of this section, this subtitle shall apply as of October 1, 2016.

“(b)(1) Sections 652 and 654 shall apply upon the date of inclusion of their fiscal effect in an approved budget and financial plan.

“(2) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

ENROLLED ORIGINAL

“(3)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

“(B) The date of publication of the notice of the certification shall not affect the applicability of these sections.”.

SUBTITLE G. FEMS APPARATUS MAINTENANCE

Sec. 3061. Short title.

This subtitle may be cited as the “Fire and Emergency Medical Services Apparatus Maintenance Requirements and Training Program Establishment Emergency Amendment Act of 2016”.

Sec. 3062. Section 1 of An Act Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1957, and for other purposes, approved June 29, 1956 (70 Stat. 443; D.C. Official Code § 5-413), is amended as follows:

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

(b) The newly designated subsection (a) is amended by striking the phrase “Fire Department” and inserting the phrase “Fire and Emergency Medical Services Department (“Department”)” in its place.

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

“(b) The Department shall:

“(1) Comply with the certification and preventative maintenance requirements of the National Fire Protection Association, NFPA 1911, 2012 edition, or any subsequent edition; and

“(2) Beginning October 1, 2019, maintain qualifications of the fleet maintenance staff through organizational and manufacturing training in accordance with National Fire Protection Association, NFPA 1071, 2016 edition, or any subsequent edition.”.

Sec. 3063. The Police Officer and Firefighter Cadet Programs Funding Authorization and Human Rights Act of 1977 Amendment Act of 1982, effective March 9, 1983 (D.C. Law 4-172; codified in various sections of the District of Columbia Official Code), is amended as follows:

(a) A new section 5a is added to read as follows:

“Sec. 5a. Pilot Civilian Technical Services Program.

“(a) The Chief of the Fire and Emergency Medical Services Department (“Chief”) shall establish, in conjunction with the University of the District of Columbia Community College, a Pilot Civilian Technical Services Program (“Program”) for the purpose of instructing, training, and exposing interested persons, primarily young adults residing in the District of Columbia, to the technical maintenance of Department apparatus and devices, and the duties, tasks, and responsibilities of serving as an employee in the field infrastructure and inventory management programs within the Department.

ENROLLED ORIGINAL

“(b) The Program shall include training courses that equip civilian employees with the skills to provide emergency vehicle and facility maintenance, certification, and specialized network management services to the Department.

“(c) A person successfully completing the Program shall be accorded full preference for appointment as a civilian employee of the Department; provided, that the person meets all other requirements pertaining to employment in the Department.

“(d) The Chief shall establish performance measures for the Program.”.

(b) Section 6 (D.C. Official Code § 5-109.02) is amended by striking the phrase “and section 2(b)-(d)” and inserting the phrase “, section 2(b)-(d), and section 5a” in its place.

SUBTITLE H. EMS TRANSPORT CONTRACT AUTHORITY

Sec. 3071. Short title.

This subtitle may be cited as the “Emergency Medical Services Transport Contract Authority Emergency Amendment Act of 2016”.

Sec. 3072. An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*), is amended as follows:

(a) Section 1 (D.C. Official Code § 5-401) is amended as follows:

(1) Subsection (a) is amended by striking the word “resolution” and inserting the word “act” in its place.

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

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

(B) The newly designated paragraph (1) is amended by striking the word “resolution” and inserting the word “act” in its place.

(C) New paragraphs (2) and (3) are added to read as follows:

“(2) Notwithstanding paragraph (1) of this subsection, the Department may contract with third parties to provide supplemental pre-hospital medical care and transportation to persons requiring Basic Life Support.

“(3) A contract entered into pursuant to paragraph (2) of this subsection shall include a provision that precludes the District from liability for any claims arising out of the actions of the third-party contractor and also provides full indemnification to ensure that the District shall not be responsible for any amounts owed to others as a result of the third-party contractor’s action or inaction under the contract.”.

(3) New subsections (d), (e), (f), (g), and (h) are added to read as follows:

“(d) Each third-party contractor that enters into a contract pursuant to subsection (b)(2) of this section shall provide a quarterly report to the Department and to the Council that includes the following information:

“(1) The number of transports performed;

ENROLLED ORIGINAL

“(2) The average time between the dispatch of the third-party contractor by the Department and the third-party contractor’s arrival to the patient;

“(3) The location where the third-party contractor meets each patient and the name and location of the healthcare facility to which the patient is transported;

“(4) The average transport time from the location where the third-party contractor meets each patient to the healthcare facility to which the patient is transported;

“(5) The average time that the third-party contractor remains out of service after transporting a patient to a healthcare facility;

“(6) The average time that the third-party contractor remains out of service while waiting to transfer the care of a patient to a healthcare facility;

“(7) The number of third-party contractor ambulances available on a daily basis for Department use;

“(8) The length of the third-party contractor’s personnel shifts;

“(9) The number of employees hired by the third-party contractor and their residency;

“(10) The number of patients who used the third-party contractor’s services twice or more times during the reporting period, including the number of times the patient used the services during the previous 12 months; and

“(11) The number of patient care reports collected, including the number reviewed with the Department.

“(e) Within 4 months after the date of a contract awarded pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Department shall submit a report to the Council that includes the following information:

“(1) Activity by the Department to educate the public on the proper use of emergency requests for service;

“(2) The number of Department employees hired after a contract award and their residency;

“(3) An evaluation of pre-hospital medical care and transportation fees considering the reasonableness of the fees, the public interest, and the persons required to pay the fee;

“(4) The number of ambulances added to the Department’s frontline and reserve fleet after the date of a contract award, including whether these ambulances are replacing or supplementing the current fleet;

“(5) The number of emergency medical services personnel training hours provided, including all pediatric training conducted pursuant to a memorandum of understanding between the Department and the pediatric training entity;

“(6) The average time that the Department’s ambulances remained out of service while waiting to transfer the care of a patient to a healthcare facility; and

“(7) The number of patients who used the Department’s transport service twice or more during the reporting period, including the number of times the patient used transport services during the previous 12 months.

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“(f) Within 4 months after the date of a contract award pursuant to subsection (b)(2) of this section, and quarterly thereafter, the Office of Unified Communications shall submit a report to the Council that includes the following information:

“(1) The number of calls dispatched, and the average dispatch time;

“(2) The average time within which the Department and the third-party contractor’s ambulances reported arriving at a healthcare facility with a patient and returning to service;

“(3) The protocol to reroute non-emergency calls; and

“(4) The average time between the on-scene arrival of the third-party contractor’s ambulance to the time the third-party contractor is at the patient’s side.

“(g) Within one year after the date of a contract award pursuant to subsection (b)(2) of this section, and annually thereafter, until the Department is no longer contracting with a third-party contractor pursuant to subsection (b)(2) of this section, the Department shall submit a report to the Council that evaluates performance under the contract and includes the following information:

“(1) The impact on the Department’s unit availability;

“(2) The impact on the Department’s fleet, including the ability to conduct preventative maintenance and the number of operational and reserve units available;

“(3) The impact on the Department’s training schedule;

“(4) The impact on the Department’s response times and quality of patient care;

“(5) An assessment of the number of units, the number of personnel, the amount of training, and associated costs required to provide pre-hospital medical care and transportation without the use of third parties; and

“(6) Recommendations for implementing any additional units, personnel, and training identified in paragraph (5) of this subsection.

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

“(1) “Basic Life Support” means a level of medical care provided by pre-hospital emergency medical services at the basic emergency response technician level and in accordance with the national scope of practice for a basic level provider.

“(2) “Patient care report” means a paper or electronic document that details the patient’s pre-hospital status and condition and medication administered by a member of the Department or third-party contractor, from the time of the emergency call to the handover of the patient to a healthcare facility.”.

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

“Sec. 1b. Public duty doctrine.

“The Council ratifies the interpretation and application of the public duty doctrine by the District of Columbia Court of Appeals up through the decision of September 25, 2014, in *Allen v. District of Columbia*, No. 10-CV-1425, and extends the public duty doctrine to claims against the District for the actions of contractors and their employees providing services pursuant to section 1 to the same extent as it applies to claims against the District for the actions of the District and its employees.”.

ENROLLED ORIGINAL

Sec. 3073. Sunset; applicability.

(a) Section 3072(a)(2)(C) and (3) shall expire on September 30, 2019.

(b) This subtitle shall apply as of the effective date of this act.

SUBTITLE I. INTEGRATED HEALTH CARE TASK FORCE

Sec. 3081. Short title.

This subtitle may be cited as the “Integrated Health Care Task Force Establishment Emergency Amendment Act of 2016”.

Sec. 3082. An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401 *et seq.*), is amended by adding a new section 3b to read as follows:

“Sec. 3b. Integrated Health Care Task Force.

“(a) The Fire and Emergency Medical Services Department shall establish an Integrated Health Care Task Force to study nationally recognized best practices and develop recommendations regarding strategies for reducing EMS call volume, improving EMS delivery, and providing for collaboration between agencies, hospitals, health care organizations, and community-based organizations, as well as strategies to achieve these goals by connecting patients with appropriate health care and social services.

“(b) The Task Force shall:

“(1) Examine the need for, cost of, and implementation of a pilot community paramedicine program (“program”), including:

“(A) Which District agency should manage the program;

“(B) Whether the program should be a self-sustaining independent entity that links hospitals, practice pharmacies, community health centers, schools, behavioral health services, public health services, nursing homes, and home health services;

“(C) Whether the program should employ case managers who are notified when a patient comes into contact with social service or EMS providers; and

“(D) Whether the program should be staffed with Department civilian EMS employees;

“(2) Determine the usefulness of advice nurses, tele-medicine, and tele-health techniques;

“(3) Examine the need for, cost of, and implementation of transporting EMS patients to destinations other than hospitals;

“(4) Make recommendations on how to best educate the community on medical conditions and resources for non-emergency medical conditions, as well as the proper use of 911;

“(5) Make recommendations on how to connect repeat users of EMS to effective health care and other services while considering the use of technology and data sharing consistent with the Health Insurance Portability and Accountability Act of 1996, approved

ENROLLED ORIGINAL

August 21, 1996 (110 Stat. 1936; 42 U.S.C. § 1320d, *et seq.*) (“Act”), and the regulations issued pursuant to the Act;

“(6) Make recommendations for the District to provide additional health care resources to meet the needs identified by the Task Force, if the Task Force concludes that such resources are necessary;

“(7) Develop reporting requirements, performance measurements, or patient surveys that should be used to evaluate programs recommended by the Task Force; and

“(8) Make recommendations for criteria that will enable the District to train and equip members of the Department to provide pediatric care.

“(c) The Task Force shall be comprised of the following:

“(1) The Department’s Medical Director, who shall chair the Task Force;

“(2) One representative from a District-based college or university;

“(3) Three representatives from organizations for which the primary purpose of the organization is to provide services, education, or outreach to underserved populations with gaps in EMS or health services;

“(4) One representative from the District of Columbia Emergency Medical Services Advisory Committee, established by section 23 of the Emergency Medical Services Act of 2008, effective March 25, 2009 (D.C. Law 17-357; D.C. Official Code § 7-2341.22);

“(5) Two labor representatives, one from each labor organization affiliated with the Department;

“(6) One representative from the Office on Aging;

“(7) One representative from the Department of Health;

“(8) One representative from the Department of Health Care Finance;

“(9) One representative from the Department of Behavioral Health; and

“(10) One representative from the Office of Unified Communications.

“(d)(1) By June 30, 2017, the Task Force shall submit a report to the Mayor and to the Council that includes the definition of the issues identified in subsection (a) of this section, an analysis of the data supporting the objective assessments, and recommendations completed pursuant to subsection (b) of this section.

“(2) The Task Force shall dissolve after transmitting its report under paragraph (1) of this subsection.

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

“(1) “Department” means the Fire and Emergency Medical Services Department.

“(2) “EMS” means emergency medical services.

“(3) “Practice pharmacies” means pharmacies that optimize health outcomes from drug-related treatments, research safe and effective drug use, and develop practices that maximize patient benefit from medications.

“(4) “Task Force” means the Integrated Health Care Task Force established pursuant to this section.”.

ENROLLED ORIGINAL

Sec. 3083. Applicability.

This subtitle shall apply as of the effective date of this act.

**SUBTITLE. J. OAG LITIGATION SUPPORT FUND AND AUTHORITY
CLARIFICATION**

Sec. 3091. Short title.

This subtitle may be cited as the “Office of the Attorney General Litigation Support Fund and Authority Clarification Emergency Amendment Act of 2016”.

Sec. 3092. The Attorney General for the District of Columbia Clarification and Elected Term Amendment Act of 2010, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-301.81 *et seq.*), is amended as follows:

(a) Section 106b(d)(3) (D.C. Official Code § 1-301.86b(d)(3)), is amended by striking the phrase “\$1.5 million” both times it appears and inserting the phrase “\$3 million” in its place.

(b) Section 108b (D.C. Official Code § 1-301.88b) is amended as follows:

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

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

“(b)(1) The Attorney General shall issue rules to govern the procurement of goods and services for the Office of the Attorney General.

“(2) The rules promulgated pursuant to section 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 1-371; D.C. Official Code § 2-361.06), shall apply to procurement of goods and services for the Office of the Attorney General unless the Attorney General has issued a superseding rule or regulation.”.

(c) A new section 112 is added to read as follows:

“Sec. 112. Attorney General notification on enforcement of laws.

“(a) An independent agency shall notify the Attorney General of any judicial or administrative proceeding in which the independent agency is a named party when the judicial or administrative proceeding includes a challenge to:

“(1) The legality of a District or federal statute or regulation;

“(2) The constitutionality of a final agency decision or any action taken by the independent agency; or

“(3) The statutory authority of the independent agency to act.

“(b) An independent agency shall notify the Attorney General before commencing, or filing a pleading seeking leave to participate as a party or *amicus curiae* in, a judicial or administrative proceeding that includes a challenge as described in subsection (a) of this section.

“(c) An independent agency shall provide notice as required by this section as early as practicable, but in no event later than:

“(1) Seven business days after receiving notice of the judicial or administrative proceeding; or

ENROLLED ORIGINAL

“(2) If a challenge or potential challenge requiring notice under subsection (b) of this section arises during the course of a judicial or administrative proceeding, 3 business days after becoming aware of the challenge or potential challenge.

“(d) For the purposes of this section, the term “independent agency” means any office, department, division, board, commission, or instrumentality of the District of Columbia government with respect to which the Mayor and the Council are not authorized by law to establish administrative procedures, and that is not represented by the Attorney General in a judicial or administrative proceeding in which the office, department, division, board, commission or instrumentality is participating as a named party or *amicus curiae*. The term “independent agency” does not include the Council, the Superior Court of the District of Columbia, or the District of Columbia Court of Appeals.

Sec. 3093. Section 404 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 § 1-604.04), is amended by adding a new subsection (a-1) to read as follows:

“(a-1)(1) The Attorney General shall issue rules and regulations to implement the provisions of titles VII, VIII, IX, IX-A, XI, XII, XIII, XIII-A, XIV-A, XVI-A, XVII, XIX, XXIV, XXVII, and XXXI of this act for employees under the jurisdiction of the Attorney General.

“(2) The rules and regulations promulgated pursuant to subsection (a) of this section shall apply to employees under the jurisdiction of the Attorney General unless the Attorney General has issued a superseding rule or regulation.”.

Sec. 3094. Section 3(b) of the Prohibition on Government Employee Engagement in Political Activity Act of 2010, effective March 31, 2011 (D.C. Law 18-335; D.C. Official Code § 1-1171.02(b)), is amended as follows:

(a) The lead-in language is amended by striking the word “Mayor” and inserting the phrase “Mayor, the Attorney General,” in its place.

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

“(2) Any designation pursuant to this subsection shall be made in writing by the Mayor and the Attorney General to the Secretary of the District of Columbia and by any member of the Council to the Secretary to the Council;”.

(c) Paragraph (4) is amended by striking the word “Mayor” and inserting the phrase “Mayor, the Attorney General,” in its place.

SUBTITLE K. PUBLIC SAFETY TECHNICAL AMENDMENTS

Sec. 3101. Short title.

This subtitle may be cited as the “Public Safety Technical Amendments Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 3102. The Neighborhood Engagement Achieves Results Amendment Act of 2016, enacted on March 26, 2016 (D.C. Act 21-356; 63 DCR 4659), is amended as follows:

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

“(c) Beginning on January 31, 2017, and by January 31 of each year thereafter, the ONSE shall provide a report to the Council that excludes personally identifying information and includes the following information from the reporting period and in the aggregate:

“(1) The number of individuals successfully recruited and engaged;

“(2) The duration of individuals’ participation;

“(3) The status of participants’ progress; and

“(4) The participants’ age, race or ethnicity, gender, and ward of residence.”.

(b) Section 901(a) is amended to read as follows:

“(a) Sections 101, 102, 103, 104(b)(3), 105, and 204 shall apply upon the inclusion of their fiscal effect in an approved budget and financial plan.”.

Sec. 3103. Section 2213.1 of Chapter 22 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2213.1) is amended by striking the phrase “front, sides, or back of the vehicle” and inserting the phrase “front or sides of the vehicle” in its place.

Sec. 3104. The Fair Criminal Record Screening Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-152; D.C. Official Code § 32-1341 *et seq.*), is amended by adding a new section 6a to read as follows:

“Sec. 6a. Rules.

“The Director of the Office of Human Rights, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code §2-501 *et seq.*), shall issue rules to implement the provisions of this act.”.

SUBTITLE L. CPR EMERGENCY MEDICAL APPLICATION

Sec. 3111. Short title.

This subtitle may be cited as the “Cardiopulmonary Resuscitation Application Establishment Emergency Amendment Act of 2016”.

Sec. 3112. The Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended by adding a new section 3205a to read as follows:

“Sec. 3205a. Development of emergency medical application.

“(a) The Office shall develop an emergency medical application to aid a trained user in providing cardiopulmonary resuscitation to an individual reported to be exhibiting signs of cardiac arrest while emergency medical service providers are dispatched to the individual’s location. At a minimum, the emergency medical application shall:

“(1) Notify a trained user that he or she is within a certain distance from an individual that is experiencing a cardiac arrest in a public location;

ENROLLED ORIGINAL

“(2) Notify a trained user of the nearest location of a publicly accessible defibrillator;

“(3) Assist emergency medical service providers in monitoring patients or relaying information to hospital emergency rooms; and

“(4) Allow a trained user to alert the Office if an individual is experiencing a health emergency.

“(b) The Director shall ensure that staff are adequately trained to assist trained users in the use of the emergency medical application.

“(c) Notwithstanding any other law, a trained user shall have the same protections as provided in section 1 of An Act To relieve physicians of liability for negligent medical treatment at the scene of an accident in the District of Columbia, approved November 8, 1965 (79 Stat. 1302; D.C. Official Code § 7-401), and shall not be subject to criminal or, in the absence of gross negligence, civil liability for administering cardiopulmonary resuscitation or using an automated external defibrillator pursuant to this subtitle:

“(1) In good faith to treat a person who he or she reasonably believes is experiencing a cardiac arrest;

“(2) Outside of a hospital or medical office; and

“(3) Without the expectation of receiving or intending to seek compensation for such service or acts.

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

“(1) “Emergency medical application” means a website or mobile platform where trained users can interact with the Office during medical emergencies.

“(2) “Trained user” means a District resident or visitor using an emergency medical application who has been trained by an organization recognized by the Department of Health to provide cardiopulmonary resuscitation to a victim of a cardiac arrest.”.

SUBTITLE M. ESTABLISHMENT OF CRIMINAL CODE REFORM COMMISSION

Sec. 3121. Short title.

This subtitle may be cited as the “Criminal Code Reform Commission Establishment Emergency Act of 2016”.

Part 1. Establishment of Criminal Code Reform Commission

Sec. 3122. Establishment of the Criminal Code Reform Commission.

(a) The Criminal Code Reform Commission (“Commission”) is established as an independent agency within the District of Columbia government, consistent with the meaning of the term “independent agency” as provided in section 301(13) 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 § 1-603.01(13)).

ENROLLED ORIGINAL

(b) The Commission shall be composed of the Executive Director and such staff as necessary to complete the work of the Commission.

(c)(1) Except as provided in paragraph (2) of this subsection, the Executive Director shall be appointed by the Chairman of the Council, subject to the approval of the majority of the Council. The Executive Director shall serve for a term of 3 years, or until the Commission is dissolved pursuant to section 3127, and shall be paid a rate of compensation as may be established from time to time by the Council.

(2) Notwithstanding paragraph (1) of this subsection, as of the effective date of this subtitle, the Criminal Code Revision Project Director of the District of Columbia Sentencing and Criminal Code Revision Commission shall be the Executive Director of the Commission.

(d) The Executive Director shall:

- (1) Be a member in good standing of the District of Columbia Bar;
- (2) Be responsible for and oversee the daily operations of the Commission;
- (3) Supervise Commission staff; and
- (4) Develop and institute internal policies, procedures, and processes to ensure efficient operations.

(e)(1) Except as provided in paragraph (2) of this subsection, all employees of the Commission shall be, or shall become within 180 days after hire, a resident of the District of Columbia

(2) Notwithstanding paragraph (1) of this subsection, the Executive Director as of the effective date of this subtitle shall be exempt from the residency requirement in paragraph (1) of this subsection.

Sec. 3123. Recommendations for comprehensive criminal code reform.

(a) By October 1, 2018, the Commission shall submit to the Mayor and the Council comprehensive criminal code reform recommendations that revise the language of the District's criminal statutes to:

- (1) Use clear and plain language;
 - (2) Apply consistent, clearly articulated definitions;
 - (3) Describe all elements, including mental states, that must be proven;
 - (4) Reduce unnecessary overlap and gaps between criminal offenses;
 - (5) Eliminate archaic and unused offenses;
 - (6) Adjust penalties, fines, and the gradation of offenses to provide for proportionate penalties;
 - (7) Organize existing criminal statutes in a logical order;
 - (8) Identify any crimes defined in common law that should be codified, and propose recommended language for codification, as appropriate;
 - (9) Identify criminal statutes that have been held to be unconstitutional and recommend their removal or amendment;
 - (10) Propose such other amendments as the Commission believes are necessary;
- and

ENROLLED ORIGINAL

“(11) Enable the adoption of Title 22 as an enacted title of the District of Columbia Official Code.

(b) The comprehensive criminal code reform recommendations required by subsection (a) of this section shall be in the form of a report that:

(1) Includes draft legislation or other specific steps for implementing the recommendations;

(2) Includes charging, sentencing, and other relevant statistics regarding the offenses affected by the recommendations; and

(3) Explains how and why the recommendations change existing District law.

(c) In preparing the comprehensive criminal code reform recommendations required by subsection (a) of this section, the Commission shall:

(1) Consult with the Code Revision Advisory Group established pursuant to section 3124; and

(2) Review criminal code reforms in other jurisdictions, recommend changes to criminal offenses by the American Law Institute, and survey best practices recommended by criminal law experts.

(d) The Commission shall, upon request by the Council, provide a legal analysis of proposed legislation concerning criminal offenses, including information on existing District law, the laws of other jurisdictions, and model legislation.

(e) The Commission may consult with other District of Columbia, federal, and state agencies, conduct community outreach, perform trainings, and engage in other activities regarding criminal code reform to advance the Commission’s statutory duties.

(f) The Commission may request such information as may be necessary to fulfill its statutory responsibilities. Each department, agency, instrumentality, or independent agency of the District of Columbia is authorized and directed, to the extent permitted by law, to furnish the Commission with such requested information.

Sec. 3124. Code Revision Advisory Group.

(a) The Commission shall establish a Code Revision Advisory Group (“Advisory Group”) to review and provide information and suggestions on proposals prepared by the Commission related to the comprehensive criminal code reform recommendations required by section 3123. The Advisory Group shall consist of 5 voting members and 2 nonvoting members as follows:

(1) The voting members of the Advisory Group shall consist of the following:

(A) The United States Attorney for the District of Columbia or his or her designee;

(B) The Director of the Public Defender Service for the District of Columbia or his or her designee;

(C) The Attorney General for the District of Columbia or his or her designee; and

ENROLLED ORIGINAL

(D) Two professionals from established organizations, including institutions of higher education, devoted to the research and analysis of criminal justice issues, appointed by the Council;

(2) The non-voting members of the Commission shall consist of the following:

(A) The Chairperson of the Council committee with jurisdiction over the Commission or his or her designee; and

(B) The Deputy Mayor for Public Safety and Justice or his or her designee.

(b) Meetings of the Advisory Group shall be conducted by the Commission's Executive Director, with meetings scheduled by the Executive Director as necessary to fulfill the statutory responsibilities of the Commission.

(c) The Commission shall provide drafts of its recommended reforms to criminal statutes to the Advisory Group in the form of reports. Advisory Group members may provide to the Commission written comments in response to those recommendations within a reasonable period of time, to be determined by the Executive Director, but not less than one month.

(d) The Commission shall consider all written comments that are timely received from Advisory Group members under subsection (c) of this section and propose all final recommendations to the Council based on the comments received.

(e) The voting members of the Advisory Group shall vote to approve the final recommendations proposed by the Commission, with a majority of voting members necessary to approve the recommendations, before their submittal to the Council and the Mayor under section 3123(a).

(f) The Commission shall compile and make publicly available a record of all written comments received from Advisory Group members under subsection (c) of this section.

Sec. 3125. Reporting requirements.

(a) The Commission shall file quarterly reports with the Council that provide a summary of activities during the prior quarter.

(b) The Commission shall file an annual report with the Council before March 31 of each year that includes:

(1) A summary and copy of all recommendations for reforms to criminal statutes developed by the Commission during the previous calendar year;

(2) A summary and copy of comments received from the Advisory Group during the previous calendar year and their disposition;

(3) A summary of other Commission activities during the previous calendar year;

(4) A description of any problems discovered with prior Commission work or changes to prior work that are necessary due to legislative changes or court rulings;

(5) A description of any issues that could delay or prevent the Commission from timely fulfilling its statutory duties; and

(6) A work plan and schedule, or revisions to an existing work plan and schedule, for carrying out the responsibilities of the Commission to meet statutory requirements.

ENROLLED ORIGINAL

Sec. 3126. Transition from District of Columbia Sentencing and Criminal Code Revision Commission.

(a) All functions, authority, programs, positions, personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available to the Criminal Code Revision Project previously established pursuant to section 2a of the Advisory Commission on Sentencing Establishment Act of 1998, effective June 16, 2006 (D.C. Law 16-126; D.C. Official Code § 3-101.01), are transferred to the Criminal Code Revision Commission.

(b) All rules, orders, obligations, determinations, grants, contracts, licenses, and agreements of the Criminal Code Revision Project transferred to the Criminal Code Revision Commission under subsection (a) of this section shall continue in effect according to their terms until lawfully amended, repealed, or modified.

Sec. 3127. Sunset.

This part shall expire on October 1, 2018.

Part 2. Conforming Amendments

Sec. 3128. The Advisory Commission on Sentencing Establishment Act of 1998, effective October 16, 1998 (D.C. Law 12-167; D.C. Official Code § 3-101 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 3-101) is amended as follows:

(1) The section heading is amended by striking the phrase “and Criminal Code Revision”.

(2) Subsection (a) is amended by striking the phrase “and Criminal Code Revision”.

(3) Subsection (b) is amended by striking the phrase “In addition to the duties required under section 2a, the” and inserting the word “The” in its place.

(b) Section 2a (D.C. Official Code § 3-101.01) is repealed.

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

(1) The lead-in language is amended by striking the number “15” and inserting the number “12” in its place.

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

(A) Subparagraph (H) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(B) Subparagraph (I) is amended by striking the phrase “; and” and inserting a period in its place.

(C) Subparagraph (J) is repealed.

(d) Section 4(c) (D.C. Official Code § 3-103(c)) is amended by striking the number “8” and inserting the number “7” in its place.

ENROLLED ORIGINAL

Sec. 3129. Section 406(b) 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)), is amended as follows:

(1) Paragraph (19) is amended to read as follows:

“(19) For employees of the District of Columbia Sentencing Commission, the personnel authority is the District of Columbia Sentencing Commission;”.

(2) Paragraph (23) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(3) Paragraph (24) is amended by striking the period and inserting the phrase “; and” in its place.

(4) A new paragraph (25) is added to read as follows:

“(25) For employees of the Criminal Code Reform Commission, the personnel authority is the Criminal Code Reform Commission.”.

SUBTITLE N. DOC INMATE AND RETURNING CITIZEN ASSISTANCE

Sec. 3131. Short title.

This subtitle may be cited as the “Department of Corrections Inmate and Returning Citizen Assistance Emergency Act of 2016”.

Sec. 3132. Department of Corrections inmate and returning citizen assistance grant.

(a) In Fiscal Year 2017 and each fiscal year thereafter, of the annual funds available to the Office of Justice Grants Administration (“Office”), no less than \$125,000 shall be awarded to an organization that assists individuals currently in the custody of or recently released from the District of Columbia Jail or the Correctional Treatment Facility.

(b) The Office shall award the grant funds provided under subsection (a) of this section in their entirety as early in the fiscal year as is feasible. The Office shall not provide the grant funds on a reimbursement basis.

SUBTITLE O. PUBLIC SAFETY TELECOMMUNICATOR AND DISTRICT SCHOOL CPR AND AED TRAINING

Sec. 3141. Short title.

This subtitle may be cited as the “Public Safety Telecommunicator and District School CPR and AED Training Emergency Amendment Act of 2016”.

Sec. 3142. The Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51 *et seq.*), is amended as follows:

(a) Section 3206 (D.C. Official Code § 1-327.55) is amended as follows:

(1) The lead-in language is amended by striking the number “4” and inserting the number “5” in its place.

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

ENROLLED ORIGINAL

“(5) The Division of Development and Standards shall include the staff needed to implement a robust program of training for all employees of the Office. The training program shall be described in a training plan published by the Office that:

“(A) Establishes the required minimum number of hours of annual training and the certifications required for public safety telecommunicators and public safety communications training officers;

“(B) Aligns with standards established by national public safety associations recognized by the Office;

“(C) Includes training on the following topics for public safety telecommunicators:

“(i) Cardiopulmonary resuscitation;

“(ii) Telecommunications devices for deaf individuals, including teletype; and

“(iii) Stress management;

“(D) Includes formalized quality assurance to identify areas in which future training would be beneficial and to ensure that existing training is effectively implemented; and

“(E) Incorporates examinations for public safety telecommunicators designed to demonstrate the public safety telecommunicators’ ability to utilize existing communication tools or available technologies to meet operational needs in both normal and back-up modes.”.

(b) Section 3207 (D.C. Official Code § 1-327.56) is amended as follows:

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

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

“(b) The Office shall coordinate with the Fire and Emergency Medical Services Department to cross-train, on an annual basis, public safety telecommunicators with firefighters, and emergency medical service providers.”.

Sec. 3143. Section 1 of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), is amended by adding a new subsection (b-1) to read as follows:

“(b-1) The Department shall establish a community cardiopulmonary resuscitation program to conduct cardiopulmonary resuscitation training and emergency medical application training for District residents and employees within the following District facilities:

“(1) District of Columbia Public Schools;

“(2) District of Columbia Public Charter Schools;

“(3) District of Columbia Department of Parks and Recreation facilities; and

“(4) Any other District of Columbia government buildings.”.

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Sec. 3144. The Public Access to Automated External Defibrillator Act of 2000, effective April 27, 2001 (D.C. Law 13-278; D.C. Official Code § 44-231 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 44-231) is amended as follows:

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

“(2A) "CPR" means cardiopulmonary resuscitation.

“(2B) "CPR and AED program" means a training course on CPR and the operation and use of an AED that has been approved by the Mayor pursuant to section 3c.

“(2C) "Facility AED Coordinator" means the person who acquires the AED for a facility, or his or her designee.”.

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

“(5) "School" means a school in the District of Columbia Public Schools system, a public charter school, an independent school, a private school, or a parochial school.”.

(b) Section 3 (D.C. Official Code § 44-232) is amended as follows:

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

(A) Paragraph (1) is amended by striking the phrase “Expected AED users receive training from and be certified by the American Heart Association, the American Red Cross, or an equivalent state or nationally recognized course,” and inserting the phrase “The Facility AED Coordinator receives training from or is certified by the American Heart Association, the American Red Cross, or an equivalent state or nationally recognized course, such as the Heart Saver CPR AED course,” in its place.

(B) Paragraph (3) is amended by striking the phrase “; and” and inserting the phrase “; provided, that a physician is not required if a person or entity enters into an agreement with the Department pursuant to which the Department provides the equipment, training, and oversight required by this subsection; and” in its place.

(2) Subsection (b) is repealed

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

“(c) Any person or entity who acquires an AED shall notify the Chief of the Fire and Emergency Medical Services Department (“Chief of the Department”) or his or her designee and the call center, as defined in section 3202(a)(2) of the Office of Unified Communications Establishment Act of 2004, effective December 7, 2004 (D.C. Law 15-205; D.C. Official Code § 1-327.51(a)(2)), of the AED and the location and type of the AED. If an AED is removed, the Chief of the Department shall be notified. The Chief of the Department may issue a citation if the requirements of this subsection are not followed; provided, that the Chief of the Department has adopted regulations governing the issuance of the citations.”.

(c) A new section 3c is added to read as follows:

“Sec. 3c. CPR and AED program.

“(a) Within 120 days after the effective date of the Public Safety Telecommunicator and District School CPR and AED Training Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), each school shall meet the requirements of section 3 and:

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“(1) Establish procedures for responding to a medical emergency involving cardiac arrest, including the appropriate use of CPR and an AED;

“(2) Have at least one AED on-site at the school;

“(3) Have, in coordination with the Department of General Services, a maintenance schedule established for each AED that is in accordance with the manufacturer’s guidelines and includes:

“(A) Periodic testing;

“(B) Periodic inspection; and

“(C) Annual maintenance;

“(4) Ensure that each AED at the school is appropriate for use on children and adults;

“(5) Have had the following individuals successfully complete a CPR and AED program; provided, that individuals newly hired for the following positions shall be required to successfully complete a CPR and AED program within 60 days after their hire date:

“(A) Athletic coach, coaching assistant, and athletic trainer;

“(B) Athletic director;

“(C) Team or game physician;

“(D) School nurse; and

“(E) Every anticipated AED user employed by the school, as designated by the school;

“(6) Require that at least one individual trained in a CPR and AED program be present during the school’s hours of operation and during any athletic activity; and

“(7) Inform all school employees, at least annually, of the location of each AED in the school.

“(b)(1) The Mayor shall:

“(A) Establish baseline requirements and guidelines for a CPR and AED program;

“(B) Approve each existing CPR and AED program that the Mayor determines meets or exceeds the baseline requirements and guidelines for a CPR and AED program, and any new CPR and AED programs established pursuant to this act; provided, that the Mayor shall approve the existing programs listed in section 3(a)(1) and the program offered by the Fire and Emergency Medical Services Department pursuant to section 1(b-1) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), as meeting the requirements of this section;

“(C) Require each school to maintain a written record of the periodic testing, inspection, and maintenance of each AED; and

“(D) Require the successful completion of a CPR and AED program by each employee in a position listed in subsection (a)(5) of this section.

“(2) A CPR and AED program may be conducted by a private or public entity.”.

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Sec. 3145. Section 402 of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-824.02), is amended by adding a new subsection (b-1) to read as follows:

“(b-1) Public schools and public charter schools shall provide instruction in cardiopulmonary resuscitation to students in Grades 9 through 12 as follows:

“(1) Beginning with the 2016-2017 school year, instruction in cardiopulmonary resuscitation shall be included in at least one health class necessary for graduation.

“(2) The instruction required by this subsection shall:

“(A) Be an instructional program developed by the American Heart Association or the American Red Cross or be nationally recognized and based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation;

“(B) Include appropriate use of an automated external defibrillator, which may be taught by video; and

“(C) Incorporate hands-on practice in addition to cognitive learning.

“(3) The instruction required by this section may be provided by the public school or charter school directly or the public school or charter school may arrange for the instruction to be provided by available community-based providers.

“(4) The instruction required by this subsection is not required to be provided by a teacher.

“(5) A teacher providing the instruction under this subsection is not required to be a certified trainer of cardiopulmonary resuscitation.

“(6) A student is not required to earn certification in cardiopulmonary resuscitation to successfully complete the instruction for the purposes of this subsection.

“(7) The instruction offered by the Fire and Emergency Medical Services Department pursuant to section 1(b-1) of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401), shall be deemed to meet the requirements of this subsection.”.

Sec. 3146. Applicability.

Sections 3143 and 3145 shall apply as of the effective date of this act.

TITLE IV. PUBLIC EDUCATION

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

Sec. 4001. Short title.

This subtitle may be cited as the “Funding for Public Schools and Public Charter Schools Emergency Amendment Act of 2016”.

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Sec. 4002. The Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), is amended as follows:

(a) Section 104 (D.C. Official Code § 38-2903) is amended by striking the phrase “\$9,492 per student for fiscal year 2015” and inserting the phrase “\$9,682 per student for Fiscal Year 2017” in its place.

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

“Grade Level	Weighting	Per Pupil Allocation in FY 2017
“Pre-Kindergarten 3	1.34	\$12,974
“Pre-Kindergarten 4	1.30	\$12,587
“Kindergarten	1.30	\$12,587
“Grades 1-5	1.00	\$9,682
“Grades 6-8	1.08	\$10,457
“Grades 9-12	1.22	\$11,812
“Alternative program	1.44	\$13,942
“Special education school	1.17	\$11,328
“Adult	0.89	\$8,617

(c) Section 106(c) (D.C. Official Code § 38-2905(c)) is amended to read as follows:

“(c) The supplemental allocations shall be calculated by applying weightings to the foundation level as follows:

“Special Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“Level 1: Special Education	Eight hours or less per week of specialized services	0.97	\$9,392
“Level 2: Special Education	More than 8 hours and less than or equal to 16 hours per school week of specialized services	1.20	\$11,618

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“Level 3: Special Education	More than 16 hours and less than or equal to 24 hours per school week of specialized services	1.97	\$19,074
“Level 4: Special Education	More than 24 hours per week of specialized services which may include instruction in a self-contained (dedicated) special education school other than residential placement	3.49	\$33,790
“Blackman Jones Compliance	Weighting provided in addition to special education level add-on weightings on a per-student basis for Blackman Jones compliance.	0.069	\$668
“Attorney’s Fees Supplement	Weighting provided in addition to special education level add-on weightings on a per-student basis for attorney’s fees.	0.089	\$862
“Residential	D.C. Public School or public charter school that provides students with room and board in a residential setting, in addition to their instructional program	1.67	\$16,169

“General Education Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
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“ELL	Additional funding for English Language Learners.	0.49	\$4,744
“At-risk	Additional funding for students in foster care, who are homeless, on TANF or SNAP, or behind grade level.	0.219	\$2,120

“Residential Add-ons:

“Level/ Program	Definition	Weighting	Per Pupil Supplemental Allocation FY 2017
“Level 1: Special Education - Residential	Additional funding to support the after-hours level 1 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	0.368	\$3,563
“Level 2: Special Education - Residential	Additional funding to support the after-hours level 2 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	1.337	\$12,945
“Level 3: Special Education - Residential	Additional funding to support the after-hours level 3 special education needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting	2.891	\$27,991

ENROLLED ORIGINAL

<p>“Level 4: Special Education - Residential</p>	<p>Additional funding to support the after-hours level 4 special education needs of limited and non-English proficient students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting</p>	<p>2.891</p>	<p>\$27,991</p>
<p>“LEP/NEP - Residential</p>	<p>Additional funding to support the after-hours limited and non-English proficiency needs of students living in a D.C. Public School or public charter school that provides students with room and board in a residential setting</p>	<p>0.668</p>	<p>\$6,468</p>

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

<p>“Level/ Program</p>	<p>Definition</p>	<p>Weighting</p>	<p>Per Pupil Supplemental Allocation FY 2017</p>
<p>“Special Education Level 1 ESY</p>	<p>Additional funding to support the summer school or program need for students who require ESY services in their IEPs.</p>	<p>0.063</p>	<p>\$610</p>

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“Special Education Level 2 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.227	\$2,198
“Special Education Level 3 ESY	Additional funding to support the summer school or program need for students who require ESY services in their IEPs	0.491	\$4,754
“Special Education Level 4 ESY	Additional funding to support the summer school or program need for students who ESY services in their IEPs	0.491	\$4,754

.”

(d) Section 115 (D.C. Official Code § 38-2913) is amended as follows:

- (1) Strike the phrase “Fiscal Year 2017” and insert the phrase “Fiscal Year 2020” in its place.
- (2) Strike the word “equal” and insert the word “equitable” in its place.

SUBTITLE B. DCPS CONTRACTING AND SPENDING FLEXIBILITY AMENDMENT

Sec. 4011. Short title.

This subtitle may be cited as the “DCPS Contracting and Spending Flexibility Emergency Amendment Act of 2016”.

Sec. 4012. Reallocation and use of District of Columbia Public Schools funds.

(a) Pursuant to rules promulgated by the Chief Financial Officer, each school in the District of Columbia Public Schools (“DCPS”) may reallocate funds between object classes within the school’s non-personal services object category in the aggregate not-to-exceed amount of \$10,000 within each fiscal year.

(b) DCPS is authorized to spend appropriated funds to pay for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities in accordance with rules

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promulgated by the Chancellor pursuant to section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)); provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement.

(c) For the purposes of this section, the terms "object category" and "object class" shall have the same meanings as provided in D.C. Official Code § 47-361(9) and (10), respectively.

Sec. 4013. Section 105(c)(5) of the District of Columbia Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-174(c)(5)), is amended by striking the semicolon and inserting the phrase " , including rules and regulations governing the use of DCPS funds for DCPS-sponsored student travel, including the cost of transportation, lodging, meals, and admission fees for students and adult chaperones, to locations and venues outside DCPS facilities; provided, that such travel be related to the students' curriculum or for the purpose of rewarding student curricular or extra-curricular achievement;" in its place.

Sec. 4014. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE C. CLASSROOM ANIMAL FOR EDUCATIONAL PURPOSES

Sec. 4021. Short title.

This subtitle may be cited as the "Classroom Animal for Educational Purposes Emergency Amendment Act of 2016".

Sec. 4022. Section 9(h) of the Animal Control Act of 1979, effective October 18, 1979 (D.C. Law 3-30; D.C. Official Code § 8-1808(h)), is amended by adding a new paragraph (6) to read as follows:

"(6) Paragraph (1) of this subsection shall not apply to educational institutions that possess animals for educational and instructional purposes and that otherwise comply with humane, sanitary, and safe treatment requirements, as set forth in section 502 of the Animal Protection Amendment Act of 2008, effective December 5, 2008 (D. C. Law 17-281; D.C. Official Code § 8-1851.02), and permitting requirements promulgated by the Mayor."

SUBTITLE D. HEALTHY TOTS ACT AMENDMENTS

Sec. 4031. Short title.

This subtitle may be cited as the "Healthy Tots Emergency Amendment Act of 2016".

Sec. 4032. The Healthy Tots Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-281 *et seq.*), is amended as follows:

(a) Section 4073(c)(1)(B) (D.C. Official Code § 38-282(c)(1)(B)) is amended as follows:

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(1) Strike the word “breakfasts” both times it appears and insert the word “meals” in its place.

(2) Strike the phrase “to receive free or reduced meals” and insert the phrase “for subsidized child care” in its place.

(b) Section 4073a (D.C. Official Code § 38-282.01) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “to participate in the CACF Program, the facility shall participate in the program” and inserting the phrase “for subsidized child care, the facility shall participate in the CACF Program” in its place.

(2) Subsection (c) is amended by striking the date “September 30, 2016” and inserting the date “September 30, 2017” in its place.

Sec. 4033. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. NATIONAL EXTERNAL DIPLOMA PROGRAM

Sec. 4041. Short title.

This subtitle may be cited as the “National External Diploma Program Emergency Amendment Act of 2016”.

Sec. 4042. Section 7b of the State Education Office Establishment Act of 2000, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-2608), is amended by adding a new subsection (g) to read as follows:

“(g) OSSE shall deem valid all diplomas awarded to residents who completed the requirements of the National External Diploma Program at any time from January 1, 1980, through February 5, 2016, in the District of Columbia.”.

SUBTITLE F. FOSTER CARE EXTENDED ELIGIBILITY

Sec. 4051. Short title.

This subtitle may be cited as the “Foster Care Extended Eligibility Emergency Amendment Act of 2016”.

Sec. 4052. Section 5a(a) of the Day Care Policy Act of 1979, effective April 13, 1999 (D.C. Law 12-216; D.C. Official Code § 4-404.01(a)), is amended as follows:

(a) Paragraph (4) is amended by striking the phrase “services; and” and inserting the phrase “services;” in its place.

(b) Paragraph (5) is amended by striking the phrase “child.” and inserting the phrase “child;” in its place.

(c) New paragraphs (6), (7), and (8) are added to read as follows:

“(6) Children of a teen parent under 21 years of age who is either in foster care or a ward of the District and is either working or enrolled in a verified job training or education program;

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“(7) Children in foster care placement when the foster care provider is not working but receives some form of verifiable income, such as social security or disability, and the child care services are in the best interest of the child; and

“(8) Children in foster care placement when the foster care provider is not working but enrolled in a verified job training or education program, and the child care services are in the best interest of the child.”.

**SUBTITLE G. PUBLIC CHARTER SCHOOL ADVANCE PAYMENT
ADJUSTMENT**

Sec. 4061. Short title.

This subtitle may be cited as the "Public Charter School Advance Payment Adjustment Emergency Amendment Act of 2016".

Sec. 4062. Section 107b(b) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2906.02(b)), is amended as follows:

(a) Paragraph (1) is amended by striking the phrase “and shall be 30% of the school’s entitlement” and inserting the phrase “and shall be 35% of an existing school's entitlement, and 45% of the entitlement for a newly chartered school in its first school year of operation” in its place.

(b) Paragraph (2) is amended by striking the phrase “and shall be equal to 55% of the school’s entitlement less amounts paid in July” and inserting the phrase “and shall be equal to 60% of an existing school's entitlement and 70% of the entitlement for a newly chartered school in its first school year of operation, less amounts paid in July” in its place.

(c) Paragraph (3) is amended by striking the phrase “and shall be equal to 80% of the school’s entitlement less amounts paid in July and October” and inserting the phrase “and shall be equal to 80% of an existing school's entitlement and 85% of the entitlement for a newly chartered school in its first school year of operation, less amounts paid in July and October” in its place.

Sec. 4063. Applicability.

This subtitle shall apply as of the effective date of this act or as of July 15, 2016, whichever is earlier.

**SUBTITLE H. MY SCHOOL DC EDFEST SPONSORSHIP AND ADVERTISING
AND COMMON LOTTERY BOARD AMENDMENT**

Sec. 4071. Short title.

This subtitle may be cited as the "My School DC EdFest Sponsorship and Advertising and Common Lottery Board Emergency Amendment Act of 2016".

ENROLLED ORIGINAL

Sec. 4072 Section 4122 of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Subsection (f) is amended by striking the date "December 31st" and inserting the date "April 30" in its place.

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

“(g) The Chief Financial Officer shall deposit all cash proceeds received from advertisements and sponsorships pursuant to this section into the Common Lottery Board Fund established pursuant to section 206 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195).”.

Sec. 4073. Section 206 of the Department of Education Establishment Act of 2007, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 38-195), is amended as follows:

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

(1) Paragraph (3) is amended by striking the phrase “; and” and inserting a semicolon in its place.

(2) Paragraph (4) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(5) Cash proceeds for DC EdFest deposited pursuant to section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905).”.

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

“(c)(1) Except as provided in paragraph (2) of this subsection, money in the Fund shall be used for the continued development and improvement of the common lottery system.

“(2) Cash proceeds deposited pursuant to section 4122(g) of the My School DC EdFest Sponsorship and Advertising Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), shall first be used to fund My School DC EdFest. Any excess funds shall be used in accordance with paragraph (1) of this subsection.”.

SUBTITLE I. SCHOOL IMMUNIZATION REQUIREMENTS ENFORCEMENT PERIOD AMENDMENT

Sec. 4081. Short title.

This subtitle may be cited as the “School Immunization Requirements Enforcement Period Emergency Amendment Act of 2016”.

Sec. 4082. Section 6 of the Immunization of School Students Act of 1979, effective September 28, 1979 (D.C. Law 3-20; D.C. Official Code § 38-505), is amended by striking the phrase “ten (10) days” wherever it appears and inserting the phrase “20 school days” in its place.

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SUBTITLE J. PUBLIC CHARTER SCHOOL AT-RISK AND LIMITED ENGLISH PROFICIENT PAYMENT AMENDMENT

Sec. 4091. Short title.

This subtitle may be cited as the “Public Charter At-Risk and Limited English Proficient Payment Emergency Amendment Act of 2016”.

Sec. 4092. Section 107b of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective April 13, 2005 (D.C. Law 15-348; D.C. Official Code § 38-2906.02), is amended as follows:

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

(1) Designate the existing text as subparagraph (A).

(2) The newly designated subparagraph (A) is amended to read as follows:

“(A) Payments for special education, limited English proficient students, at-risk students, and other add-on components of the Funding Formula shall be included in the quarterly payments to public charter schools.”.

(3) New subparagraphs (B) and (C) are added to read as follows:

“(B) Payments shall reflect one-quarter of the annual per student amount for each add-on; provided, that add-ons for special education students shall be added on a pro-rata basis from the date on which a public charter school begins to provide add-on services for such students, as set forth in subsection (g)(1) of this section.

“(C) Charter schools shall receive the full annual per pupil payment for at-risk or limited English proficient students who are enrolled by October 5, but who are not designated as at-risk or limited English proficient students until after October 5.”.

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

“(g)(1) Charter schools may receive payment on a pro-rata basis from the date on which the school begins providing special education services to students enrolled by October 5, who are identified as requiring an individualized education program (“IEP”) or as needing an increased IEP after October 5.

“(2) Upon application to and at the discretion of the Chief Financial Officer, the supplemental payments for the special education students available pursuant to paragraph (1) of this subsection shall be disbursed in addition to the quarterly payments made pursuant to subsection (a) of this section.”.

Sec. 4093. Applicability.

This subtitle shall apply as of the effective date of this act or as of July 15, 2016, whichever is earlier.

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SUBTITLE K. HIGHER EDUCATION LICENSURE COMMISSION**CLARIFICATION**

Sec. 4101. Short title.

This subtitle may be cited as the “Higher Education Licensure Commission Clarification Emergency Amendment Act of 2016”.

Sec. 4102. The Education Licensure Commission Act of 1976, effective April 6, 1977 (D.C. Law 1-104; D.C. Official Code § 38-1301 *et seq.*), is amended as follows:

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

(1) Paragraph (4)(C) is amended by striking the phrase “through agents offers” and inserting the phrase “through agents or an online presence offers” in its place.

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

“(17) “Reciprocity agreement” means an agreement joined by the District of Columbia with other member states, districts, or U.S. territories that establishes national standards for interstate offering of postsecondary distance education courses and programs.”.

(b) Section 6(b)(3) (D.C. Official Code § 38-1306(b)(3)) is amended by striking the phrase “45-day” both times it appears and inserting the phrase “14-day” in its place.

(c) Section 7 (D.C. Official Code § 38-1307) is amended to read as follows:

“Sec. 7. Higher Education Licensure Commission — Functions.

“In addition to those duties specified in other sections of this act, the Commission shall:

“(1) Advise the Mayor and the Council with respect to the postsecondary educational needs of the District of Columbia;

“(2) File with the Mayor and the Council quarterly reports relating to:

“(A) The educational institutions granted or denied licenses under this act during the reporting period; and

“(B) Other matters that come under the Commission's purview;

“(3) Receive, and cause to be maintained, copies of student academic records in conformity with the following provisions:

“(A) If an educational institution operating in the District, or any educational institution licensed under this act operating outside of the District, proposes to discontinue its operation and has no other repository for its records, the chief administrative officer, by whatever title designated, of the institution shall cause to be filed with the Commission the original or legible true copies of all records of the institution specified by the Commission. The records shall include, at a minimum, the academic records of each former student;

“(B) The Commission shall maintain and dispose of the records in accordance with the provisions of the District of Columbia Public Records Management Act of 1985, effective September 5, 1985 (D.C. Law 6-19; D.C. Official Code § 2-1701 *et seq.*). Academic records shall be maintained for at least 50 years from the date the student attended the institution; and

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“(C) The Commission may charge an institution for all costs involved in the transfer of records;

“(4)(A) If it appears to the Commission that the records of an institution discontinuing its operations are in danger of being destroyed, secreted, mislaid, or otherwise made unavailable to the Commission, the Commission may apply to the Superior Court of the District of Columbia for an order authorizing the Commission to seize and take possession of the records;

“(B) Any chief officer or member of a governing board of an institution who willfully fails to comply with the provisions of this subsection or willfully aids and abets any person in a scheme to avoid the requirements of this subsection may be held personally liable for all costs and damages resulting from the conduct, in addition to other penalties provided by this act.

“(5) Have the authority to enter into reciprocity agreements with other jurisdictions that relate to the authorization of postsecondary educational institutions that provide degree-granting or non-degree-granting online instruction to residents of the District; and

“(6) Have the authority to enter into agreements with degree-granting educational institutions operating in the District of Columbia that are otherwise conditionally exempt pursuant to section 10 for the purpose of ensuring consistent consumer protection in interstate distance education delivery of higher education.”.

(d) Section 9 (D.C. Official Code § 38-1309) is amended as follows:

(1) Subsection (a-1) is repealed.

(2) Subsection (c-1) is amended by adding a new paragraph (3) to read as follows:

“(3) Paragraph (1) of this subsection shall not apply to a postsecondary educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence and that is authorized to operate in the District pursuant to a reciprocity agreement.”.

(e) A new section 9a is added to read as follows:

“Sec. 9a. Delivery of online instruction by a postsecondary educational institution.

“(a) A postsecondary educational institution may provide degree-granting or non-degree-granting online instruction to residents of the District through an online presence.

“(b) An educational institution that provides degree-granting or non-degree-granting online instruction to residents of the District through an online presence shall be deemed to be operating in the District, and shall either be:

“(1) Licensed by the Commission in accordance with this act; or

“(2) Authorized to operate in the District pursuant to a reciprocity agreement.”.

SUBTITLE L. TRAFFIC CONTROL INVESTIGATIONS FOR NEW SCHOOLS AMENDMENT

Sec. 4111. Short title.

This subtitle may be cited as the “Traffic Control Investigations for New Schools Emergency Amendment Act of 2016”.

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Sec. 4112. Section 2 of the School Proximity Traffic Calming Act of 2000, effective May 23, 2000 (D.C. Law 13-111; D.C. Official Code § 38-3101), is amended as follows:

(a) Subsection (a) is amended by striking the word “Mayor” and inserting the phrase “District Department of Transportation (“DDOT”)” in its place.

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

“(a-1)(1) Beginning July 31, 2016, the DDOT shall complete the investigation required in subsection (a) of this section for a new school no later than 60 days after the first day on which students begin classes at the school.

“(2) The District of Columbia Public Schools and the Public Charter School Board shall notify the DDOT of a new school no later than 90 days before the first day on which students will begin classes at the school.

“(3) For the purposes of this subsection, the term “new school” means:

“(A) A school located in a never-before-occupied structure, except for a structure erected in an existing school zone; or

“(B) A school located in a preexisting structure that has not been used as a District of Columbia public school or public charter school within the last 5 years.”.

(c) Subsections (b), (c), (d), and (e)(2) are amended by striking the word “Mayor” wherever it appears and inserting the word “DDOT” in its place.

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

“(d-1) A public charter school shall coordinate with the Metropolitan Police Department to provide the DDOT with the information in subsection (c)(1) and (2) of this section no later than 15 days after the date of the request.”.

(e) Subsection (f) is amended by striking the phrase “District Department of Transportation” and inserting the acronym “DDOT” in its place.

(f) Subsection (f-1) is amended to read as follows:

“(f-1) The DDOT shall provide, by July 31st of each year, recommendations to the Mayor, the Council, the Chancellor of the District of Columbia Public Schools, the Public Charter School Board, and the Chief of the Metropolitan Police Department on the deployment of school crossing guards, taking into account the impact of school closings and reconfigurations, projected enrollment, traffic conditions, investigations conducted pursuant to subsections (a) and (a-1) of this section, and all other relevant factors.”.

Sec. 4113. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE M. EXCESS SCHOOL FACILITIES EXISTING TENANT PREFERENCE

Sec. 4121. Short title.

This subtitle may be cited as the “Excess School Facilities Existing Tenant Preference Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 4122. Section 2209(b)(1) of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.09(b)(1)), is amended by adding a new subparagraph (B-i) to read as follows:

“(B-i) *Existing tenants*. -- For the purposes of this paragraph, an existing tenant of an excess school facility, other than an eligible entity, shall be deemed to be an eligible entity and given the same preference as an eligible entity under subparagraph (A)(ii)(II) of this paragraph if:

“(i) The existing tenant is a nonprofit elementary or secondary school incorporated in the District or a community-based, nonprofit arts education organization incorporated in the District, whose programming includes youth classes; and

“(ii) The existing tenant has continuously occupied all or substantially all of the excess school facility or property since December 30, 2008.”.

Sec. 4123. Applicability.

This subtitle shall apply as of the effective date of this act.

**SUBTITLE N. EDUCATION OMBUDSMAN AND OFFICE OF THE STUDENT
ADVOCATE AMENDMENT**

Sec. 4131. Short title.

This subtitle may be cited as the “Education Ombudsman and Office of the Student Advocate Emergency Amendment Act of 2016”.

Sec. 4132. Section 604(15) of the Public Education Reform Amendment Act of 2007, effective June 12, 2007 (D.C. Law 17-9; D.C. Official Code § 38-353(15)), is amended as follows:

(a) The lead-in language is amended by striking the number “90” and inserting the number “120” in its place.

(b) Subparagraph (D) is repealed.

(c) Subparagraph (E) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(d) Subparagraph (F) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(e) Subparagraph (G) is repealed.

Sec. 4133. Section 204 of the Parent and Student Empowerment Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-76; D.C. Official Code § 38-373), is amended as follows:

(a) Paragraph (6) is amended by striking the phrase “s student’s” and inserting the phrase “a student’s” in its place.

(b) Paragraph (9) is amended as follows:

ENROLLED ORIGINAL

(1) The lead-in language is amended by striking the number “90” and inserting the number “120” in its place.

(2) Subparagraph (C) is amended by striking the word “and”.

(3) Subparagraph (D) is amended by striking the word “and”.

(4) New subparagraphs (E), (F), and (G) are added to read as follows:

“(E) Students represented through formal or administrative proceedings;

“(F) Information sessions held and trainings conducted by ward; and

“(G) Complaints, concerns, or other inquiries referred to District agencies, including the name of the agency, office, or organization to which the referral was made; and”.

SUBTITLE O. EDUCATION REPORTING REQUIREMENTS

Sec. 4141. Short title.

This subtitle may be cited as the “Education Reporting Requirements Emergency Act of 2016”.

Sec. 4142. Office of the State Superintendent of Education reporting requirements.

(a) By June 15, 2016, the Office of the State Superintendent of Education (“OSSE”) shall submit to the Council a report on the establishment of the Uniform Per Student Funding Formula (“UPSFF”) Working Group pursuant to section 112(c) of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2911(c)), including a list of members and proposed meeting dates.

(b) By August 15, 2016, and every 2 months thereafter through December 15, 2016, the OSSE shall submit to the Council a report on the status of work conducted by the UPSFF Working Group in the preceding 2 months, including meeting minutes.

(c)(1) By October 1, 2016, and quarterly thereafter through September 30, 2017, the OSSE shall submit to the Council a report on a comprehensive plan and efforts to implement by July 1, 2018, the expansion of the IDEA Part C and the Strong Start: DC Early Intervention Program included in section 7h of the State Education Office Establishment Act of 2000, effective March 10, 2015 (D.C. Law 20-195; D.C. Official Code § 38-2614).

(2) The reports shall include the following:

(A) A timeline for implementation;

(B) The OSSE’s projected capacity needs to accomplish implementation, with supporting data;

(C) A description of barriers to implementation;

(D) Benchmark goals; and

(E) Steps OSSE intends to take to:

(i) Accomplish needed program enhancements for implementation, including enhancements to service provider capacity, recruiting and retention strategies, and strategies for differentiated models of service for children with 25% to 50% delay in one developmental area; and

ENROLLED ORIGINAL

(ii) Work with the Department of Healthcare Finance to develop a Medicaid carve-out whereby a portion of money is set aside for early intervention programs through which OSSE can recoup costs.

Sec. 4143. Public Charter School Board reporting requirements.

By October 1, 2016, the Public Charter School Board shall submit to the Council a report on the distribution of at-risk funds to each local education agency (“LEA”) it oversees for students in pre-k through grade 12 for school year 2016-2017. The report shall include, at a minimum, the projected allocation of at-risk funds to each LEA and a breakdown of the intended use of the funds, including a description of the programs, initiatives, and the enrichment activities it is being used to support.

Sec. 4144. Deputy Mayor for Education reporting requirements.

By October 1, 2016, the Deputy Mayor for Education shall report to the Council on the following:

(1) An update on the Deputy Mayor’s convened Cross Sector Collaboration Task Force’s work in Fiscal Year 2016, and the most recent list of recommendations for the Mayor and the Council;

(2) The need for transportation subsidies and assistance for adult learners who are 22 years of age and older and enrolled in publicly funded adult education programs or in University of the District of Columbia Workforce Development and Lifelong Learning programs. This report shall include:

(A) An assessment of what subsidies are currently available to this population through government assistance programs, the usage rates of these resources, and whether local or federal money is used to pay for them;

(B) An assessment of the unmet need for transportation subsidies among adult learners, and the impact of increased transportation costs on attendance and enrollment in adult education programs and the University of the District of Columbia Workforce Development and Lifelong Learning programs;

(C) Recommendations on:

(i) Ways to better leverage and connect qualifying adult learners and transportation providers to existing resources, and the best ways to ensure that federal money is utilized whenever possible; and

(ii) Ways that the government, District of Columbia Public Schools, public charter schools, and the University of the District of Columbia can provide broader access to subsidized transportation opportunities; and

(D) The cost associated with recommendations for delivering transportation assistance, and an assessment of new federal and local funding streams that may be accessed to provide these services; and

ENROLLED ORIGINAL

(3) A proposed plan for schools where students are suffering from safe passage issues of bullying, violence, or other impediments to getting to and from school and recommendations for best practices for improved safe passage policies that schools can adopt.

Sec. 4145. District of Columbia Public Schools reporting requirements.

By October 1, 2016, the District of Columbia Public Schools shall submit to the Council a report on Student Activity Funds. The report shall include the following:

(1) Information on each existing Student Activity Fund within the control of the District of Columbia Public Schools, including the health of the fund and the date of its last audit;

(2) The policies and procedures governing Student Activity Funds, including requirements on deposits and any restrictions on items that can be purchased with Student Activity Fund monies; and

(3) A description of the training provided to school-based staff on use of Student Activity Funds.

Sec. 4146. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE P. UNIVERSITY OF THE DISTRICT OF COLUMBIA FUNDRAISING MATCH

Sec. 4151. Short title.

This subtitle may be cited as the “University of the District of Columbia Fundraising Match Emergency Amendment Act of 2016”.

Sec. 4152. (a) In Fiscal Year 2017, of the funds allocated to the Non-Departmental agency, \$1, up to a maximum of \$1.5 million, shall be transferred to the University of the District of Columbia (“UDC”) for every \$2 that UDC raises from private donations by March 1, 2017.

(b) Of the amount transferred to UDC pursuant to subsection (a) of this section, two-thirds of the funds shall be deposited into UDC’s endowment fund.

TITLE V. HEALTH AND HUMAN SERVICES

SUBTITLE A. TEMPORARY ASSISTANCE FOR NEEDY FAMILIES AMENDMENT

Sec. 5001. Short title.

This subtitle may be cited as the “Temporary Assistance for Needy Families Time Limit Exemption and POWER Expansion Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 5002. Section 552(c-3) of the District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-205.52(c-3)), is amended as follows:

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

“(3A) For Fiscal Year 2017, the level of assistance payment shall be equal to the Fiscal Year 2016 amount.”.

(b) Paragraph (4) is amended by striking the phrase “Fiscal Year 2017” and inserting the phrase “Fiscal Year 2018” in its place.

**SUBTITLE B. DHCF AND DDS MEDICAL ASSISTANCE PROGRAM
AMENDMENTS**

Sec. 5011. Short title.

This subtitle may be cited as the “Department of Healthcare Finance and Department of Disability Services Medical Assistance Program Emergency Amendment Act of 2016”.

Sec. 5012. Section 1(a) of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02(a)), is amended by adding a new paragraph (10) to read as follows:

“(10) Review and approval by the Council of the Fiscal Year 2017 Budget and Financial Plan shall constitute the Council review and approval required by paragraph (2) of this subsection of any amendment, modification, or waiver of the state plan required to:

“(A) Implement needed amendments to:

“(i) The Intermediate Care Facilities for Individuals with Developmental Disabilities reimbursement methodology;

“(ii) The payment methodology for hospital services;

“(iii) The payment methodology for nursing homes;

“(iv) The payment methodology for the Disproportionate Share Hospital program;

“(v) The health homes program;

“(vi) Renew and update the Elderly and Individuals with Physical Disabilities waiver program and make conforming changes to the state plan; and

“(vii) The payment methodology for prescription drugs; and

“(B) Increase the number of participants in the Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program.”.

SUBTITLE C. CONTRIBUTION TO COSTS OF SUPPORTS FUND

Sec. 5021. Short title.

This subtitle may be cited as the “Contribution to Costs of Supports Fund Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 5022. The Developmental Disabilities Service Management Reform Amendment Act of 2006, effective March 14, 2007 (D.C. Law 16-264; D.C. Official Code § 7-761.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 7-761.02) is amended by adding new paragraphs (2A) and (2B) to read as follows:

“(2A) “Contribution to costs of supports” means full or partial payment by persons with intellectual disabilities or their estate for the locally funded supports and services provided by the Developmental Disabilities Administration.

“(2B) “Costs of occupancy” means:

“(A) Rent;

“(B) Other personal expenses, including food, clothing, and medical costs;

“(C) Supplies, furnishings, and equipment;

“(D) Communications; and

“(E) Other supports.”.

(b) New sections 105b and 105c are added to read as follows:

“Sec. 105b. Contribution to costs of supports.

“(a) DDS shall collect the contribution to costs of supports from persons with intellectual disabilities who are:

“(1) Medicaid Program-eligible but not eligible for the maximum Supplement Security Income or Social Security Disability Insurance payments; or

“(2) Not Medicaid Program-eligible but otherwise have been found eligible to receive services from the Developmental Disabilities Administration.

“(b) DDS shall collect the contribution to costs of supports under subsection (a) of this section only to the extent that DDS uses local dollars to fund the costs of occupancy.

“Sec. 105c. Contribution to Costs of Supports Fund.

“(a) There is established as a special fund the Contribution to Costs of Supports Fund (‘Fund’), which shall be administered by DDS in accordance with subsection (c) of this section.

“(b) The Fund shall consist of contributions to costs of supports collected by DDS from persons with intellectual disabilities pursuant to section 105b.

“(c) The Fund shall be used by DDS to pay the costs of occupancy to persons with intellectual disabilities consistent with federal and local law and regulations.

“(d)(1) The money deposited into the Fund, and interest earned, 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.

“(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”.

(c) Section 109 (D.C. Official Code § 7-761.09) is amended by adding a new subsection (a-1) to read as follows:

“(a-1)(1) Within 45 days after the effective date of the Contribution to Costs of Supports Fund Amendment Act of 2016 (‘Act’), passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), the Mayor, pursuant to Title I of the District of Columbia Administrative

ENROLLED ORIGINAL

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 the Act, including rules establishing who has the ability to pay the contribution to costs of supports, the amount to be collected, the method and timing of payments to DDS for such purposes, and due process protections.

“(2) 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 period of review, the proposed rules shall be deemed approved.”.

SUBTITLE D. PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES RENT INCREASE RELIEF

Sec. 5031. Short title.

This subtitle may be cited as the “Persons with Intellectual and Developmental Disabilities Rent Increase Relief Emergency Amendment Act of 2016”.

Sec. 5032. The Rental Housing Act of 1985, effective July 17, 1985 (D.C. Law 6-10; D.C. Official Code § 42-3501.01 *et seq.*), is amended as follows:

(a) Section 103 (D.C. Official Code § 42-3501.03) is amended by adding a new paragraph (13A) to read as follows:

“(13A) “Home and community-based services waiver provider” means an entity that provides residential habilitation or supported living services under the Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities program authorized by section 1915(c) of the Social Security Act, approved August 13, 1981 (95 Stat. 809; 42 U.S.C. § 1396n).”.

(b) Section 205(a)(1) (D.C. Official Code § 42-3502.05(a)(1)) is amended by striking the phrase “title III;” and inserting the phrase “Title III, or any unit rented by a home and community-based services waiver provider and occupied by a tenant with a disability without regard to income but otherwise as defined in section 206(f)(2)(A), or co-leased by a home and community-based services waiver provider and occupied by a tenant with a disability without regard to income but otherwise as defined in section 206(f)(2)(A);” in its place.

(c) Section 208(h)(2) (D.C. Official Code § 42-3502.08(h)(2)) is amended by striking the phrase “elderly or disabled tenant” and inserting the phrase “elderly or disabled tenant, including a unit leased or co-leased by a home and community-based services waiver provider,” in its place.

SUBTITLE E. COMMISSION ON HEALTH EQUITY

Sec. 5041. Short title.

This subtitle may be cited as the “Commission on Health Equity Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 5042. The Commission on Health Disparities Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-192; D.C. Official Code § 7-755.01 *et seq.*), is repealed.

Sec. 5043. Establishment of the Commission on Health Equity.

(a) There is established a Commission on Health Equity ("Commission") to prepare, through the Department of Health's Office on Violence Prevention and Health Equity, comprehensive recommendations to the Department of Health, the Council, and the Mayor that examine and address health inequities across the District and differing opportunities for healthcare by demographic subpopulations and geographic areas, including in each election ward of the District.

(b) The Commission shall have 9 voting members, who shall be appointed as follows:

(1)(A) Six voting members shall be appointed by the Mayor with the advice and consent of the Council, in accordance with section 2(f) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)).

(B) The Mayor's initial 6 appointments shall include 3 members appointed to 3-year terms and 3 members appointed to 2-year terms. All subsequent appointments by the Mayor shall be for 3-year terms.

(2)(A) Three voting members shall be appointed by the Council.

(B) The Council's initial 3 appointments shall be for 1-year terms. All subsequent appointments by the Council shall be for 3-year terms.

(3) Each voting member shall have expertise in at least one of the following areas:

(A) Health equity, social determinants, and health disparities;

(B) Social and human services and vulnerable populations;

(C) Early learning and education;

(D) Minority communities and population health outcomes and improvement;

(E) Economic and community development; or

(F) Ecology and the natural and built environment.

(4) The Mayor shall appoint the Chairperson of the Commission from among its voting members.

(c)(l) The Commission shall include the following nonvoting advisory members:

(A) The Chairperson of the Council committee with jurisdiction over the Department of Health, who shall serve as an ex-officio member;

(B) Three community advisory members, one each from Wards 5, 7, and 8, appointed by the Council;

(C) One patient organization representative, appointed by the voting members of the Commission; and

(D) The presidents or chief executive officers of 2 District hospitals and a representative from an insurance company who have access to health outcomes databases, or their designees.

ENROLLED ORIGINAL

(2) For the purposes of this subsection, the term "patient organization representative" means an individual who works for a national or local healthcare or health promotion organization.

(d) All vacancies on the Commission shall be filled in the same manner in which the initial appointment is made.

(e) All members of the Commission shall be appointed within one year after the effective date of this subtitle.

Sec. 5044. Commission duties and functions.

(a) The Commission shall advise the Department of Health's Office of Violence Prevention and Health Equity on:

(1) The development of a baseline assessment of health equity across the District, and differing opportunities for health by demographic subpopulations and geographic areas, including in each election ward of the District;

(2) The application of innovative data collection and dissemination strategies to augment the use of evidence-based methods and tools and practices within a community-based participatory research framework; and

(3) Strengthening collaborative partnerships with communities impacted by health inequities to identify and promote health equity strategies.

(b) The Commission shall:

(1) Gather information from public hearings, inquiries, and studies to understand how the District government may work to eliminate health disparities;

(2) Seek federal grants, if available; and

(3) Submit a formal city action plan by March 1 of each year to the Department of Health, the Mayor, and the Council.

(c) The formal city action plan required by subsection (b)(3) of this section shall be a public document and shall include, at a minimum:

(1) A report of the Commission's findings regarding:

(A) Health equity across the District and differing opportunities for healthcare by demographic subpopulations and geographic areas, including in each election ward of the District;

(B) The identification of health indicators studied that highlight the election ward and populations or neighborhoods most affected, possible steps that can be taken by the District government to remedy these issues, and expected outcomes that will result from taking the recommended steps; and

(2) Draft legislation, regulations, amendments to statutes or regulations, or any other specific steps for implementing the recommendations described in paragraph (1) of this subsection.

ENROLLED ORIGINAL

Sec. 5045. Commission procedure and powers.

(a) The Commission shall meet at least once a quarter to share findings regarding the prevalence and severity of health disparities that exist in each election ward.

(b) The Chairperson of the Commission, or his or her designee, who must be a member of the Commission, shall convene all Commission meetings.

(c) A majority of the voting members appointed to the Commission at any given time shall constitute a quorum for the transaction of official business. Official actions of the Commission shall be taken by a majority vote of the voting members present at the meeting.

(d) The Commission may use space and supplies owned or rented by the District government and use staff loaned from the Council or detailed by the Mayor for purposes consistent with this subtitle as the Commission may determine.

Sec. 5046. Section 2(f)(53) of the of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(f)(53)), is amended to read as follows:

“(53) The Commission on Health Equity.”.

SUBTITLE F. TEEN PREGNANCY PREVENTION FUND AMENDMENT

Sec. 5051. Short title.

This subtitle may be cited as the “Teen Pregnancy Prevention Fund Emergency Amendment Act of 2016”.

Sec. 5052. The Teen Pregnancy Prevention Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.321 *et seq.*), is amended as follows:

(a) Section 5142(2) (D.C. Official Code § 1-325.321(2)) is amended by striking the phrase “the DC Campaign to Prevent Teen Pregnancy, as authorized by section 5146” and inserting the phrase “, for Fiscal Year 2017, the Department of Health, as authorized by section 5146” in its place.

(b) Section 5143 (D.C. Official Code § 1-325.322) is amended as follows:

(1) Subsection (a) is amended by striking the word “subgrants” and inserting the word “grants” in its place.

(2) Subsections (b), (c), and (d) are amended to read as follows:

“(b) Grants from the Fund shall be awarded by the Department of Health to nonprofit organizations for the purpose of implementing the following types of programs, consistent with an evidence-based, community-wide teen pregnancy prevention model:

“(1) Health services for teens;

“(2) Reproductive health education;

“(3) Professional development and training;

“(4) Research and policy development related to teen pregnancy; and

“(5) Public education and awareness on teen pregnancy.

ENROLLED ORIGINAL

“(c) Grants from the Fund shall be awarded, subject to the availability of funding, as follows:

“(1) All grants shall be awarded on a competitive basis;

“(2) The grant funds shall be used exclusively to serve District of Columbia residents; and

“(3) All grants shall be subject to the Freedom of Information Act of 1976, effective March 25, 1977 (D.C. Law 1-96; D.C. Official Code § 2-531 *et seq.*).

“(d) The Fund shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*”).

(3) Subsection (e) is repealed.

(c) Section 5144 (D.C. Official Code § 1-325.323) is amended as follows:

(1) Strike the word “subgrant” wherever it appears and insert the word “grant” in its place.

(2) Strike the word “subgrantee” wherever it appears and insert the word “grantee” in its place.

(3) Subsection (a)(4)(C) is amended by striking the word “subgrantee’s” and inserting the word “grantee’s” in its place.

(d) Section 5145 (D.C. Official Code § 1-325.324) is amended as follows:

(1) Strike the date “December 1, 2014” and insert the date “December 1, 2017” in its place.

(2) Strike the word “bimonthly” and insert the word “semiannual” in its place.

(3) Strike the word “subgrantee” both times it appears and insert the word “grantee” in its place.

(4) Strike the word “subgrant” wherever it appears and insert the word “grant” in its place.

(e) Section 5146 (D.C. Official Code § 1-325.325) is amended to read as follows:

“Sec. 5146. Authorization for grant-managing entity.

“For Fiscal Year 2017, the Department of Health is designated as the grant-managing entity.”.

(f) Section 5147 (D.C. Official Code § 1-325.326) is amended to read as follows:

“Sec. 5147. Limitation on duplicative projects.

“The grant-managing entity shall take steps to avoid awarding a grant to a nonprofit that has been awarded or is being awarded funds from another District agency for the same or similar program purposes for which it is applying for funding from the Fund.”.

SUBTITLE G. MEDICAID HOSPITAL OUTPATIENT SUPPLEMENTAL PAYMENT

Sec. 5061. Short title.

This subtitle may be cited as the "Medicaid Hospital Outpatient Supplemental Payment Emergency Act of 2016".

ENROLLED ORIGINAL

Sec. 5062. Definitions.

For the purposes of this subtitle, the term:

- (1) "Department" means the Department of Health Care Finance.
- (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any hospital operated by the federal government.
- (3) "Hospital system" means any group of hospitals licensed separately, but operated, owned, or maintained by a common entity.
- (4) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.
- (5) "Outpatient gross patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals that is reported as the sum of Lines 18 and 19; Column 2; Worksheet G-2 of the Hospital and Hospital Health Care Complex Cost Report (Form CMS 2552-10), filed for the period ending between October 1, 2013, and September 30, 2014.

Sec. 5063. Hospital Provider Fee Fund.

- (a) There is established as a special fund the Hospital Provider Fee Fund ("Fund"), which shall be administered by the Department in accordance with subsections (c) and (d) of this section.
- (b) Revenue from the following sources shall be deposited in the Fund:
 - (1) Fees collected under this subtitle; and
 - (2) Interest and penalties collected under this subtitle.
- (c) Money in the Fund may only be used for the following purposes:
 - (1) Making Medicaid outpatient hospital access payments to hospitals as required under section 5066;
 - (2) Payment of administrative expenses incurred by the Department or its agent in performing the activities authorized by this subtitle in an amount not to exceed \$150,000 annually; and
 - (3) Providing refunds to hospitals pursuant to section 5065.
- (d) Money in the Fund may not be used to replace money appropriated to the Medicaid program.
- (e)(1) The money deposited into the Fund, and interest earned, 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.

ENROLLED ORIGINAL

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.

Sec. 5064. Hospital provider fee.

(a) Beginning October 1, 2016, and subject to section 5065, the District may charge each hospital a fee based on its outpatient gross patient revenue. The fee shall be charged at a uniform rate necessary to generate the following:

(1) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for private hospitals applicable to District Fiscal Year (“DFY”) 2017 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(2) An amount equal to the non-federal share of the total available spending room under the Medicaid upper payment limit for District-operated hospitals applicable to DFY 2017 consistent with the federal approval of the authorizing Medicaid State Plan amendment; plus

(3) An amount equal to the Department's administrative expenses as described in section 5063(c)(2).

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

Sec. 5065. Applicability of fees.

(a) The fee imposed by section 5064 shall not be due and payable until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in section 5066.

(b) The fee imposed by section 5064 shall cease to be imposed, and any moneys remaining in the Fund shall be refunded to hospitals in proportion to the amounts paid by them, if:

(1) The Department makes changes in its rules that reduce the hospital inpatient or outpatient Medicaid payment rates, including adjustment to payment rates that are in effect on October 1, 2015; or

(2) The payments to hospitals required under section 5066 are modified in any way other than to secure federal approval of such payments as described in section 5066 or are not eligible for federal matching funds under section 1903(w) of the Social Security Act, approved July 30, 1965 (70 Stat. 349; 42 U.S.C. §1396b(w)) (“Social Security Act”).

(c) The fee imposed by section 5064 shall not take effect or shall cease to be imposed if the fee is determined to be an impermissible tax under section 1903(w)(3)(B) of the Social Security Act by the Centers for Medicare and Medicaid Services.

(d) Should the fee imposed by section 5064 not take effect or cease to be imposed, moneys in the Fund derived from the imposed fee shall be disbursed in accordance with section 5066 to the extent federal matching is available. If federal matching is not available due to a

ENROLLED ORIGINAL

determination by the Centers for Medicare and Medicaid Services that the fee is impermissible, any remaining moneys shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5066. Medicaid outpatient hospital access payments.

(a)(1) For visits and services beginning October 1, 2016, quarterly Medicaid outpatient hospital access payments shall be made to each private hospital.

(2) Each payment will be equal to the hospital's DFY 2014 outpatient Medicaid payments divided by the total in District private hospital DFY 2014 outpatient Medicaid payments multiplied by 1/4 of the total outpatient private hospital access payment pool.

(3) The total outpatient private hospital access payment pool is equal to the total available spending room under the private hospital outpatient Medicaid upper payment limit for DFY 2017.

(c)(1) For visits and services beginning October 1, 2016, outpatient hospital access payments shall be made to the United Medical Center.

(2) Each payment will be equal to one quarter of the total outpatient public hospital access payment pool.

(3) The total outpatient public hospital access payment pool is equal to the total available spending room under the District-operated hospital outpatient Medicaid upper payment limit for DFY 2017.

(d) The quarterly Medicaid outpatient hospital access payments shall be made within 15 business days after the end of each DFY quarter for the Medicaid visits and services rendered during that quarter.

(e) No payments shall be made under this section until such time that the federal Centers for Medicare and Medicaid Services approves the Medicaid State Plan amendment authorizing the Medicaid payments described in this subtitle.

(f) The Medicaid payment methodologies authorized under this subtitle shall not be altered in any way unless such alteration is necessary to gain federal approval from the Centers for Medicare and Medicaid Services.

Sec. 5067. Quarterly notice and collection.

(a) The fee imposed under section 5064, which shall be calculated, due, and payable on a quarterly basis, shall be due and payable by the 15th of the last month of each DFY quarter; provided, that the fee shall not be due and payable until:

(1) The District issues written notice that the payment methodologies for payments to hospitals required under section 5066 have been approved by the federal Centers for Medicare and Medicaid Services; and

(2) The District issues written notice to the hospital informing the hospital of its fee rate, outpatient gross patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period commencing on October 1, 2016, to ensure all applicable fee obligations have been identified.

ENROLLED ORIGINAL

(b)(1) If a hospital fails to pay the full amount of the fee in accordance with this subtitle, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(c) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

Sec. 5068. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding any other provision in this subtitle, if a hospital system or person ceases to conduct, operate, or maintain a hospital that is subject to a fee under section 5064, as evidenced by the transfer or surrender of the hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5064 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducted, operated, or maintained the hospital, and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision in this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee computed under section 5064 and subsection (a) of this section in installments on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due dates of the initial notice.

Sec. 5069. 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.

Sec. 5070. Sunset.

This subtitle shall expire on September 30, 2017.

SUBTITLE H. MEDICAID HOSPITAL INPATIENT SUPPLEMENTAL PAYMENT

Sec. 5071. Short title.

This subtitle may be cited as the "Medicaid Hospital Inpatient Rate Supplement Emergency Act of 2016".

ENROLLED ORIGINAL

Sec. 5072. Definitions.

For the purposes of this subtitle, the term:

- (1) "Department" means the Department of Health Care Finance.
- (2) "Hospital" shall have the same meaning as provided in section 2(a)(1) of the Health-Care and Community Residence Facility, Hospice and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501(a)(1)), but excludes any hospital operated by the federal government and any specialty hospital, as defined by the District of Columbia's Medicaid State Plan ("State Plan"), or a hospital that is reimbursed under a specialty hospital reimbursement methodology under the State Plan.
- (3) "Hospital system" means any group of hospitals licensed separately but operated, owned, or maintained by a common entity.
- (4) "Inpatient net patient revenue" means the amount calculated in accordance with generally accepted accounting principles for hospitals as derived from each hospital's filed Hospital and Hospital Health Care Complex Cost Report (Form CMS-2552-10), filed for the period ending between October 1, 2013, and September 30, 2014, using the references below:
 - (A) The sum of: Worksheet G-2; Column 1; Lines 1, 2, 3, 4, 16 and 18
 - (B) Minus: The ratio of the sum of Worksheet G-2; Column 1; Lines 5, 6, and 7 divided by Worksheet G-2; Column 1; Line 17 multiplied by Worksheet G-2; Column 1; Line 18
 - (C) Divided by: Worksheet G-2; Column 3; Line 28
 - (D) Multiplied by: Worksheet G-3; Column 1; Line 3
- (5) "Medicaid" means the medical assistance programs authorized by Title XIX of the Social Security Act, approved July 30, 1965 (79 Stat. 343; 42 U.S.C. § 1396 *et seq.*) ("Social Security Act"), and by section 1 of An Act To enable the District of Columbia to receive Federal financial assistance under title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02), and administered by the Department.

Sec. 5073. Hospital Fund.

- (a) There is established as a special fund the Hospital Fund ("Fund"), which shall be administered by the Department in accordance with subsection (c) of this section.
- (b) Revenue from the following sources shall be deposited in the Fund:
 - (1) Fees collected under this subtitle;
 - (2) Interest and penalties collected under this subtitle; and
 - (3) Other amounts collected under this subtitle.
- (c) Money in the Fund shall be used solely as set forth in section 5074(a)(2) of this subtitle.
- (d)(1) The money deposited in the Fund, and interest earned, 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.

ENROLLED ORIGINAL

(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation; provided, that any remaining money in the Fund at the end of each fiscal year shall be refunded to hospitals in proportion to the amounts paid by them.

Sec. 5074. Hospital provider fee.

(a)(1) Beginning October 1, 2016, and except as provided in subsection (b) of this section and section 5077, the District, through the Office of Tax and Revenue, may charge each hospital a fee based on its inpatient net patient revenue.

(2) The fee shall be charged at a uniform rate necessary to generate no more than \$10.4 million. Of this amount, \$1.4 million may be used to support the Medicaid Managed Care Organization rates for inpatient hospitalization. The remaining amount shall be used to support the maintenance of inpatient Medicaid Fee-for-Service rates at the District Fiscal Year ("DFY") 2015 level of 98% of cost to non-specialty hospitals.

(3) The fee collected pursuant to this section shall be deposited in the Hospital Fund, established by section 5073.

(b) A psychiatric hospital that is an agency or a unit of the District government is exempt from the fee imposed under subsection (a) of this section, unless the exemption is adjudged to be unconstitutional or otherwise invalid, in which case a psychiatric hospital that is an agency or a unit of the District government shall pay the fee imposed by subsection (a) of this section.

(c) If necessary, by August 1, 2016, the Department shall submit a provider tax waiver application to the Center for Medicare and Medicaid Services to ensure the provisions of this subtitle qualify as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act.

Sec. 5075. Quarterly notice and collection.

(a) The fee imposed under section 5074 shall be due and payable by the 15th of the last month of each DFY quarter.

(b) The fee imposed under section 5074 shall be calculated, due, and payable on a quarterly basis, but shall not be due and payable until the District issues written notice to each hospital informing the hospital of its fee rate, inpatient net patient revenue subject to the fee, and the fee amount owed on a quarterly basis, including, in the initial written notice from the District to the hospital, all fee amounts owed beginning with the period October 1, 2016, to ensure all applicable fee obligations have been identified.

(c)(1) If a hospital fails to pay the full amount of its fee by the date required, the unpaid balance shall accrue interest at the rate of 1.5% per month or any fraction thereof, which shall be added to the unpaid balance.

(2) The Chief Financial Officer may arrange a payment plan for the amount of the fee and interest in arrears.

(d) The payment by the hospital of the fee created in this subtitle shall be reported as an allowable cost for purposes of Medicaid hospital reimbursement.

ENROLLED ORIGINAL

Sec. 5076. Multi-hospital systems, closure, merger, and new hospitals.

(a) If a hospital system conducts, operates, or maintains more than one hospital licensed by the Department of Health, the hospital system shall pay the fee for each hospital separately.

(b)(1) Notwithstanding section 5074, if a hospital system or person that is subject to a fee under section 5074 ceases to conduct, operate, or maintain a hospital, as evidenced by the transfer or surrender of a hospital license, the fee for the DFY in which the cessation occurs shall be adjusted by multiplying the fee computed under section 5074 by a fraction, the numerator of which is the number of days in the year during which the hospital system or person conducts, operates, or maintains the hospital and the denominator of which is 365.

(2) Immediately upon ceasing to conduct, operate, or maintain a hospital, the hospital system or person shall pay the fee for the year as so adjusted, to the extent not previously paid.

(c) Notwithstanding any other provision of this subtitle, a hospital system or person who conducts, operates, or maintains a hospital, upon notice by the Department, shall pay the fee required under 5074 in accordance with subsection (a) of this section on the due date stated in the notice and on the regular installment due dates for the DFY occurring after the due date of the initial notice.

Sec. 5077. Federal determinations; suspension and termination of assessment.

(a) If the Centers for Medicare and Medicaid Services determines that an assessment imposed on a hospital pursuant to this subtitle does not satisfy the requirements for federal financial participation set forth in section 1903(w) of the Social Security Act, that determination shall not affect the validity, amount, applicable rate, or any other terms of an assessment on other hospitals imposed by this subtitle.

(b) If the Centers for Medicare and Medicaid Services determines that an exclusion for specialty hospitals under this subtitle would prevent an assessment imposed by this subtitle from qualifying as a broad-based health care related tax, as that term is defined in section 1903(w)(3)(B) of the Social Security Act, the exclusion of specialty hospitals shall not be made.

Sec. 5078. 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.

Sec. 5079. Sunset; applicability.

(a) This subtitle shall expire on September 30, 2017.

(b) Section 5074(c) shall apply as of the effective date of this act.

ENROLLED ORIGINAL

SUBTITLE I. PROGRAM ON WORK, EMPLOYMENT, AND RESPONSIBILITY (POWER) AMENDMENT

Sec. 5081. Short title.

This subtitle may be cited as the “Program on Work, Employment, and Responsibility Emergency Amendment Act of 2016”.

Sec. 5082. The District of Columbia Public Assistance Act of 1982, effective April 6, 1982 (D.C. Law 4-101; D.C. Official Code § 4-201.01 *et seq.*), is amended as follows:

(a) Section 572(a) (D.C. Official Code § 4-205.72(a)) is amended by striking the phrase “and sections 573” and inserting the phrase “and sections 572a” in its place.

(b) Section 572a(a)(1A) (D.C. Official Code § 4-205.72a(a)(1A)) is repealed.

SUBTITLE J. YOUTH SERVICES COORDINATION TASK FORCE

Sec. 5091. Short title.

This subtitle may be cited as the “Expansion and Coordination of Youth Services Emergency Act of 2016”.

Sec. 5092. Youth Services Coordination Task Force.

(a) There is established a Youth Services Coordination Task Force (“Task Force”) within the Office of the Deputy Mayor for Health and Human Services, for the purpose of studying the establishment of a single network of service providers for District youth that can provide family counseling, family support services, vocational training, subsidized work experiences, substance abuse counseling and recovery assistance, mentoring, tutoring, GED preparation, community service opportunities, and recreational activities to youth pursuant to Individualized Success Plans developed by each agency.

(b) The Task Force shall consist of the following persons or their designees:

- (1) The Deputy Mayor for Health and Human Services;
- (2) The Director of the Child and Family Service Agency;
- (3) The Director of the Department of Behavioral Health;
- (4) The Director of the Department of Disability Services;
- (5) The Director of the Department of Health;
- (6) The Director of the Department of Human Services;
- (7) The Director of the Department of Youth Rehabilitation Services;
- (8) The Chairperson of the Council committee with jurisdiction over the Department of Youth Rehabilitation Services;
- (9) The Chairperson of the Council committee with jurisdiction over the Department of Health; and
- (10) Two representatives from District youth-serving nonprofits, as chosen by the Mayor.

(c) The Task Force may, at the discretion of the Mayor, include the directors of other youth-serving District agencies, or their designees.

ENROLLED ORIGINAL

(d) The Task Force shall elect a chairperson by a majority vote of the members.

(e) By March 17, 2017, the Task Force shall provide a report to the Mayor, the Council, and the public that includes findings and recommendations on:

(1) How best to establish a single network of service providers, with unified grant-making procedures and reporting requirements, for youth currently served by the Child and Family Services Agency, the Department of Behavioral Health, the Department of Health, the Department of Human Services, the Department of Youth Rehabilitation Services, and other District youth-serving agencies, as considered appropriate by the Task Force; and

(2) The feasibility of providing the services described in subsection (a) of this section in centralized District-owned facilities in each ward.

(f) For the purposes of this section, the term “Individualized Success Plans” includes plans developed by the youth, family members, and agency staff that describe the services the youth needs, such as tutoring, job training, or substance abuse prevention, and the progress the youth needs to make.

Sec. 5093. Administration and appropriations.

The Office of the Deputy Mayor for Health and Human Services shall provide facilities and other administrative support for the Task Force.

Sec. 5094. Sunset.

This subtitle shall expire on March 17, 2017.

SUBTITLE K. SUPPORTING NORMALCY, EMPOWERING FOSTER CHILDREN, AND ENCOURAGING PLACEMENT WITH SIBLINGS

Sec. 5101. Short title

This subtitle may be cited as the “Supporting Normalcy, Empowering Foster Children, and Encouraging Placement with Siblings Emergency Amendment Act of 2016”.

Sec. 5102. The Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.01 *et seq.*), is amended as follows:

(a) Section 102 (D.C. Official Code § 4-1301.02) is amended as follows:

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

(A) Subparagraph (B) is amended by striking the phrase “under the plan;” and inserting the phrase “under the plan. With respect to a child who has attained 14 years of age, the plan, and any revision or addition to the plan, shall be developed in consultation with the child and, at the option of the child, with up to 2 members of the case-planning team who are chosen by the child and who are not a foster parent of, or caseworker for, the child. The agency may reject an individual selected by a child to be a member of the case-planning team at any time if the agency has good cause to believe that the individual would not act in the best interests of the child. One individual selected by a child to be a member of the child’s case-planning team

ENROLLED ORIGINAL

may be designated to be the child's advisor and, as necessary, advocate, with respect to the application of the reasonable and prudent parent standard to the child." in its place.

(B) Subparagraph (D) is amended by striking the phrase "16 years of age" and inserting the phrase "14 years of age" in its place.

(C) Subparagraph (F)(ii) is amended by striking the phrase "separation of siblings" and inserting the phrase "separation of siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

(2) A new paragraph (16A) is added to read as follows:

"(16A) "Reasonable and prudent parent standard" means the standard characterized by careful and sensible parental decisions that maintain the health, safety, and best interests of a child while at the same time encouraging the emotional and developmental growth of the child, that should be used when determining whether to allow a child to participate in extracurricular, enrichment, cultural, and social activities."

(b) Section 303 (D.C. Official Code § 4-1303.03) is amended as follows:

(1) Subsection (a)(16)(A) is amended as follows:

(A) Sub-subparagraph (ii) is amended by striking the phrase "District of Columbia; or" and inserting the phrase "District of Columbia;" in its place.

(B) Sub-subparagraph (iii) is amended by striking the phrase "terminated." and inserting the phrase "terminated; or" in its place.

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

"(iv) The ward reaches 14 years of age and on an annual basis thereafter."

(2) Subsection (a-1)(5) is amended by striking the phrase "siblings," and inserting the phrase "siblings, including individuals who would have been considered siblings of the child but for the termination of parental rights or death of a parent," in its place.

(c) A new section 303f is added to read as follows:

"Sec. 303f. Reasonable and prudent parent standard.

"(a) Foster parents and group homes for children who have been abused or neglected shall use the reasonable and prudent parent standard when determining whether to allow a ward to participate in extracurricular, enrichment, cultural, and social activities.

"(b) The Agency, foster parents, and group homes shall not be held liable for any civil damages resulting from the application of, or the failure to apply, the reasonable and prudent parent standard, except in cases constituting gross negligence."

Sec. 5103. Section 16-2323(d)(4) of the District of Columbia Official Code is amended as follows:

(a) Subparagraph (B) is amended by striking the word "and".

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

"(D) For a child placed in another planned permanent living arrangement, the steps taken by the agency to ensure that the reasonable and prudent parent standard, as defined in

ENROLLED ORIGINAL

section 102(16A) of the Prevention of Child Abuse and Neglect Act of 1977, effective September 23, 1977 (D.C. Law 2-22; D.C. Official Code § 4-1301.02(16A)), has been followed and that the child has opportunities to engage in age-appropriate or developmentally appropriate activities; and”.

SUBTITLE L. NOT-FOR-PROFIT HOSPITAL CORPORATION CERTIFICATE OF NEED EXEMPTION AMENDMENT ACT OF 2016

Sec. 5111. Short title.

This subtitle may be cited as the “Not-For-Profit Hospital Corporation Certificate of Need Exemption Emergency Amendment Act of 2016”.

Sec. 5112. Section 8(b) of the Health Services Planning Program Re-establishment Act of 1996, effective April 9, 1997 (D.C. Law 11-191; D.C. Official Code § 44-407(b)), is amended as follows:

(a) Paragraph (12) is amended by striking the word “and”.

(b) Paragraph (13) is amended by striking the period and inserting the phrase “; and” in its place.

(c) A new paragraph (14) is added to read as follows:

“(14) Operation by the Not-For-Profit Hospital Corporation of an ambulatory care clinic in the Bellevue neighborhood of Ward 8. The exemption provided in this paragraph shall expire on September 30, 2017.”.

SUBTITLE M. DEPARTMENT OF HEALTH FUNCTIONS CLARIFICATION

Sec. 5121. Short title.

This subtitle may be cited as the “Department of Health Functions Clarification Emergency Amendment Act of 2016”.

Sec. 5122. Section 4907a of the Department of Health Functions Clarification Act of 2001, effective March 3, 2010 (D.C. Law 18-111; D.C. Official Code § 7-736.01), is amended by adding new subsections (i), (j), and (k) to read as follows:

“(i) For Fiscal Year 2017, the Director of the Department of Health shall have the authority to issue grants to qualified community organizations for the purpose of providing the following services:

“(1) Programs designed to improve food access:

“(A) Through mobile, vehicle-based farm stands that operate at regularly scheduled stops, provide recipes and cooking demonstrations, and distribute locally produced food to communities in underserved communities, not to exceed \$50,000; and

“(B) By delivering fresh produce to small retailers and corner store owners that operate in underserved communities, not to exceed \$250,000;

“(2) A Farmers Market Subsidy program aimed at establishing healthy dietary habits, providing incentives for farmers to locate in low-income communities, and reducing

ENROLLED ORIGINAL

chronic illness in District residents by providing monetary assistance for the purchase of fresh fruits and vegetables to those receiving federal assistance, not to exceed \$1,200,000;

“(3) Programs designed to support teen peer educators who work to provide sexual health information and condoms to youth, not to exceed \$150,000; and

“(4) Programs designed to promote healthy development in girls attending public and chartered schools in grades 8-12 located in areas of the city possessing the highest rates of teen pregnancy and highest enrollment in state-funded health programs in the District, not to exceed \$500,000.

“(j) For Fiscal Year 2017, the Director of the Department of Health shall issue grants totaling \$100,000 to nonprofit pediatric dental clinics to provide oral health literacy and awareness programming.

“(k)(1) All grants issued pursuant to subsections (i) and (j) of this section shall be administered pursuant to the requirements set forth in the Grant Administration Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 1-328.11 *et seq.*).

“(2) The Department of Health shall submit a quarterly report to the Secretary to the Council on all grants issued pursuant to the authority granted in subsections (i) and (j) of this section.”.

SUBTITLE N. DCHA REHABILITATION AND MAINTENANCE FUND

Sec. 5131. Short title.

This subtitle may be cited as the “District of Columbia Housing Authority Rehabilitation and Maintenance Fund Emergency Amendment Act of 2016”.

Sec. 5132. Section 3 of the District of Columbia Housing Authority Act of 1999, effective May 9, 2000 (D.C. Law 13-105; D.C. Official Code § 6-202), is amended as follows:

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

(1) Strike the phrase “Authority Fund” and insert the phrase “Authority Fund (“Authority Fund”)” in its place.

(2) Strike the phrase “credited to the Fund” and insert the phrase “credited to the Authority Fund” in its place.

(3) Strike the phrase “out of the Fund” and insert the phrase “out of the Authority Fund” in its place.

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

“(c-1)(1) There is established as a special fund the DCHA Rehabilitation and Maintenance Fund (“R&M Fund”), which shall be administered by the Authority in accordance with paragraphs (3) and (4) of this subsection.

“(2) Revenue from the following sources shall be deposited in the R&M Fund:

“(A) \$15 million of one-time resource allocated in Fiscal Year 2016 from existing resources within the Authority;

“(B) Annual appropriations; and

“(C) Any remaining local funds available to the Authority for the Local

ENROLLED ORIGINAL

Rent Supplement Program at the conclusion of each fiscal year.

“(3) Money in the R&M Fund shall be used for the maintenance, repair, and rehabilitation of public housing properties within the District.

“(4) Money in the R&M Fund shall not be used to fund:

“(A) Any major rehabilitation or maintenance on any occupied unit set to be demolished or otherwise removed from the Authority inventory within 9 months, other than to protect the health or safety of tenants; and

“(B) Any repair, maintenance, or rehabilitation of any vacant unit planned to be demolished or otherwise removed from the Authority inventory within 9 months.

“(5)(A) The money deposited into the R&M Fund, and interest earned, 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.

“(B) Subject to authorization in an approved budget and financial plan, any funds appropriated in the R&M Fund shall be continually available without regard to fiscal year limitation.

“(6) By January 1 and by July 1 of each year, the Authority shall submit a report to the Mayor and to each Councilmember that details:

“(A) How the funds in the R&M Fund were used in the prior fiscal year;

“(B) The Authority's planned use of money in the R&M Fund for the succeeding fiscal year, identifying the following:

“(i) The address of each public housing unit to be repaired, rehabilitated, or renovated;

“(ii) The nature of the repair, rehabilitation, or renovation to be undertaken;

“(iii) The number of residents in each unit to be repaired, rehabilitated, or renovated, including adults and children;

“(iv) The estimated cost of the repair, rehabilitation, or renovation to be performed; and

“(v) The share of the estimated cost, if any, to be financed by the federal government.”.

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

(1) Strike the phrase “from the Fund” and insert the phrase “from the Authority Fund” in its place.

(2) Strike the phrase “each fiscal year,” and insert the phrase “each fiscal year, except as provided in subsection (c-1)(2)(C) of this section,” in its place.

Sec. 5133. Applicability.

This subtitle shall apply as of the effective date of this act.

ENROLLED ORIGINAL

SUBTITLE O. LRSP AMENDMENT

Sec. 5141. Short title.

This subtitle may be cited as the "Local Rent Supplement Emergency Amendment Act of 2016".

Sec. 5142. Section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228), is amended by adding a new subsection (f) to read as follows:

“(f) Agencies within the District government may refer individuals 62 years of age and older to the Authority for eligibility determination for the Local Rent Supplement Program if the individuals are:

“(1) Returning citizens within the meaning of section 2(5) of the Office on Ex-Offender Affairs Commission on Re-Entry and Ex-Offender Affairs Establishment Act of 2006, effective March 8, 2007 (D.C. Law 16-243; D.C. Official Code § 24-1301(5));

“(2) LGBTQ individuals within the meaning of section 2(2) of the Office of Gay, Lesbian, Bisexual, and Transgender Affairs Act of 2006, effective April 4, 2006 (D.C. Law 16-89; D.C. Official Code § 2-1381(2)); or

“(3) Persons with a disability as defined in section 3(1)(A) of the Americans with Disabilities Act of 1990, approved July 26, 1990 (104 Stat. 329; 42 U.S.C. § 12102(1)(A)).”.

SUBTITLE P. FLEXIBLE RENT SUBSIDY PILOT

Sec. 5151. Short title.

This subtitle may be cited as the “Flexible Rent Subsidy Pilot Establishment Emergency Amendment Act of 2016”.

Sec. 5152. The Homeless Services Reform Act of 2005, effective October 22, 2005 (D.C. Law 16-35; D.C. Official Code § 4-751.01 *et seq.*), is amended by adding a new section 31c to read as follows:

“Sec. 31c. Flexible Rent Subsidy Pilot Program.

“(a) The Department shall establish a Flexible Rent Subsidy Pilot Program (“Program”) to subsidize the cost of monthly rent for families receiving, or eligible to receive, Continuum of Care services.

“(b) The Department shall provide the subsidy to each participating family via dedicated account, which shall be used solely to pay the family’s monthly rent.

“(c) The annual subsidy for a participating family shall be less than the maximum annual amount that may be provided to a household by voucher pursuant to section 26c of the District of Columbia Housing Authority Act of 1999, effective March 2, 2007 (D.C. Law 16-192; D.C. Official Code § 6-228).

“(d) No later than 120 days after October 1, 2016, the Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subtitle,

ENROLLED ORIGINAL

including rules establishing program eligibility, the dollar amount of the maximum annual subsidy, and rules of program administration.

“(e) This section shall expire on September 30, 2021.”.

SUBTITLE Q. VITAL RECORDS FEES

Sec. 5161. Short title.

This subtitle may be cited as the “Vital Records Fees Emergency Amendment Act of 2016”.

Sec. 5162. Section 22 of the Vital Records Act of 1981, effective October 8, 1981 (D.C. Law 4-34; D.C. Official Code § 7-221), is amended to read as follows:

“Sec. 22. Vital records fees and fund.

“(a) The Mayor shall issue regulations that prescribe the fee to be paid for:

“(1) An amendment or correction to a vital record that is not the fault of the Mayor or a District government agency;

“(2) A certified copy of a certificate or record;

“(3) A search of a file or record if no copy is made;

“(4) A copy or information provided for research, statistical, or administrative purposes;

“(5) The processing of adoptions; or

“(6) Issuance of a new certificate of birth.

“(b) There is established as a lapsing special fund the Vital Records Fees Fund (“Fund”), which shall be administered by the Department of Health (“Department”) in accordance with subsection (d) of this section.

“(c) Revenue received pursuant to subsection (a) of this section shall be deposited into the Fund.

“(d) Money in the Fund shall be used to support the operations of the Department.

“(e)(1) Notwithstanding subsection (a) of this section, the fee for a certificate of birth shall be waived for an individual experiencing homelessness.

“(2) For the purposes of this subsection, the term “individual experiencing homelessness” means a person:

“(A) Who is lacking a fixed, regular residence that provides safe housing and the financial means to acquire such a residence immediately; or

“(B) Whose primary night-time residence is:

“(i) A supervised publicly or privately operated shelter or transitional housing facility designed to provide temporary living accommodations; or

“(ii) A public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

“(3) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall issue rules to implement the provisions of this subsection.”.

ENROLLED ORIGINAL

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT**SUBTITLE A. WILDLIFE PROTECTION ENFORCEMENT**

Sec. 6001. Short title.

This subtitle may be cited as the “Wildlife Protection Enforcement Emergency Amendment Act of 2016”.

Sec. 6002. The Wildlife Protection Act of 2010, effective March 8, 2011 (D.C. Law 18-289; D.C. Official Code § 8-2201 *et seq.*), is amended as follows:

(a) Section 2 (D.C. Official Code § 8-2201) is amended by striking the phrase “District Department of the Environment” both times it appears and inserting the phrase “Department of Energy and Environment” in its place.

(b) Section 10(b) (D.C. Official Code § 8-2209(b)) is amended by striking the phrase “inspections, pursuant to section 8” and inserting the phrase “services, including inspections, sample collection, document review, or other reasonable costs or fees incurred in implementing this act, or regulations promulgated pursuant to this act” in its place.

(c) Section 12 (D.C. Official Code § 8-2211) is amended by adding a new subsection (c) to read as follows:

“(c) The Mayor may impose civil infraction penalties, fines, and fees as alternative sanctions for any violation of this act or a regulation promulgated pursuant to this act, pursuant to the procedures offset forth in the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*)”.

SUBTITLE B. AIR QUALITY RULEMAKING AMENDMENT

Sec. 6011. Short title.

This subtitle may be cited as the “Air Quality Rulemaking Emergency Amendment Act of 2016”.

Sec. 6012. The District of Columbia Air Pollution Control Act of 1984, effective March 15, 1985 (D.C. Law 5-165; D.C. Official Code § 8-101.01 *et seq.*), is amended as follows:

(a) Section 5(d)(5) (D.C. Official Code § 8-101.05(d)(5)) is amended by striking the phrase “District Department of the Environment’s” and inserting the phrase “Department of Energy and Environment’s” in its place.

(b) Section 5a(d) (D.C. Official Code § 8-101.05a(d)) is amended by striking the phrase “implementing this section and section 5” and inserting the phrase “implementing this act or a regulation promulgated pursuant to this act” in its place.

(c) Section 6 (D.C. Official Code § 8-101.06) is amended as follows:

(1) Subsection (b) is repealed.

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

ENROLLED ORIGINAL

“(c) The Mayor, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), may issue rules to implement the provisions of this act, including establishing fines, permit fees, and other fees necessary to support the implementation of this act.”.

SUBTITLE C. ENERGY INNOVATION AND SAVINGS AMENDMENT

Sec. 6021. Short title.

This subtitle may be cited as the “Energy Innovation and Savings Emergency Amendment Act of 2016”.

Sec. 6022. The Energy Innovation and Savings Amendment Act of 2012, effective March 19, 2013 (D.C. Law 19-252; D.C. Official Code § 8-1772.01 *et seq.*), is amended as follows:

(a) Section 201 (D.C. Official Code § 8-1772.01) is amended as follows:

(1) Paragraph (2) is repealed.

(2) Paragraph (3) is amended by striking the phrase “; provided, that the term “commercial property” shall not include a small store, hotel, or restaurant.” and inserting a period in its place.

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

“(3A) “DOEE” means the Department of Energy and Environment.”.

(4) Paragraph (5) is repealed.

(b) Section 202 (D.C. Official Code § 8-1772.02) is amended to read as follows:

“Sec. 202. Commercial property energy conservation.

“(a) A commercial property shall keep exterior doors and windows closed when an air conditioner that cools the adjacent area is in operation, except:

“(1) As needed to permit the ingress and egress of people or the delivery or shipping of goods;

“(2) As needed to permit vehicular access to or for a loading dock; or

“(3) When an emergency situation exists that requires an exterior door or window to be kept open.

“(b) This section shall not apply to exterior doors or windows of hotels and restaurants that adjoin an indoor or outdoor seating area where food or beverages are served during times when the indoor or outdoor seating area is open for use by customers.”.

(c) Section 203(f) (D.C. Official Code § 8-1772.03(f)) is amended by striking the phrase “the Director of the District Department of the Environment” and inserting the acronym “DOEE” in its place.

(d) A new section 204 is added to read as follows:

“Sec. 204. 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 title.”.

ENROLLED ORIGINAL

Sec. 6023. Section 305(b) of the Energy Efficiency Financing Act of 2010, effective May 27, 2010 (D.C. Law 18-183; D.C. Official Code § 8-1778.45(b)), is amended by striking the phrase “until 5 years after the effective date of the initial contract to retain an administrator.” and inserting a period in its place.

SUBTITLE D. PRODUCT STEWARDSHIP PROGRAM AMENDMENT

Sec. 6031. Short title.

This subtitle may be cited as the “Product Stewardship Program Emergency Amendment Act of 2016”.

Sec. 6032. The Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 8-1031.01) is amended as follows:

(1) Paragraph (3) is amended by striking the period and inserting the phrase “and identified on the list of compostable materials described in section 103(b).” in its place.

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

“(6) “DOEE” means the Department of Energy and Environment.”.

(3) Paragraph (13) is amended by striking the period and inserting the phrase “and identified on the list of recyclable materials described in section 103(b).” in its place.

(b) Section 108 (D.C. Official Code § 8-1031.08) is amended by striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

(c) Section 115(8) (D.C. Official Code § 8-1041.01(8)) is amended by striking the word “year” both times it appears and inserting the phrase “calendar year” in its place .

(d) Section 117 (D.C. Official Code § 8-1041.03) is amended as follows:

(1) Strike the phrase “previous year” wherever it appears and insert the phrase “previous calendar year” in its place.

(2) Strike the phrase “program year” both times it appears and insert the phrase “calendar year” in its place.

(3) Subsection (a) is amended by striking the date “January 1, 2016” and inserting the date “June 1, 2017” in its place.

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

(A) Strike the date “January 1, 2016” and insert the date “December 31, 2016” in its place.

(B) Paragraph (9)(C) is amended by striking the phrase “, including how the organization will take into account the economic value of different types of covered electronic equipment;” and inserting the phrase “; and” in its place.

(e) Section 118 (D.C. Official Code § 8-1041.04) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “previous year” wherever it appears and inserting the phrase “previous calendar year” in its place.

ENROLLED ORIGINAL

(2) Subsection (b) is amended by striking the phrase “program year” and inserting the phrase “calendar year” in its place.

(f) Section 119 (D.C. Official Code § 8-1041.05) is amended as follows:

(1) Subsection (a) is amended by striking the date “January 1, 2016” and inserting the date “January 1, 2017” in its place.

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

(A) Subparagraph (A) is repealed.

(B) Subparagraph (D) is amended by striking the phrase “calendar years” and inserting the phrase “reporting years” in its place.

(C) Subparagraph (E) is amended by striking the phrase “previous year” and inserting the phrase “previous reporting year” in its place.

(3) Subsection (e) is amended by striking the date “January 1, 2017” and inserting the date “January 1, 2018” in its place.

(g) Section 124 (D.C. Official Code § 8-1041.10) is amended as follows:

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

(A) Strike the date “March 1, 2017” and insert the date “June 1, 2018” in its place.

(B) Strike the date “April 1” and insert the date “June 1” in its place.

(2) Subsection (b) is amended by striking the date “March 1, 2019” and inserting the date “June 1, 2019” in its place.

(h) Section 126 (D.C. Official Code § 8-1041.12) is amended as follows:

(1) Subsection (a)(1) is repealed.

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

“(b) The Mayor may impose civil fines and penalties as sanctions for violations of the provisions of this subtitle or any rules issued under the authority of this subtitle, pursuant to the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985, effective October 5, 1985 (D.C. Law 6-42; D.C. Official Code § 2-1801.01 *et seq.*)”.

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

“(c) In addition to the enforcement authority provided in subsection (b) of this section, the Mayor may seek injunctive relief or other appropriate remedy in any court of competent jurisdiction to enforce compliance with the provisions of this subtitle.”.

Sec. 6033. Section 3(c) of the Anacostia River Clean Up and Protection Act of 2009, effective September 23, 2009 (D.C. Law 18-55; D.C. Official Code § 8-102.02(c)), is amended as follows:

(a) Paragraph (1) is amended by striking the semicolon and inserting the phrase “; and” in its place.

(b) Paragraph (2) is amended by striking the phrase “; and” and inserting a period in its place.

(c) Paragraph (3) is repealed.

ENROLLED ORIGINAL

Sec. 6034. Section 401 of the Sustainable DC Omnibus Amendment Act of 2014, effective December 17, 2014 (D.C. Law 20-142; D.C. Official Code § 8-1531), is amended as follows:

(a) The existing paragraph (1) is redesignated as paragraph (1A).

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

“(1) “Compostable” means:

“(A) Made solely of materials that break down into, or otherwise become part of, usable compost in a safe and timely manner in an appropriate program; and

“(B) Once the Mayor has published the list of compostable materials described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)), identified on that list;”.

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

“(5) “Recyclable” means made solely of materials that can be recycled using the District’s recycling collection program and identified on the list of recyclable materials described in section 103(b) of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code § 8-1031.03(b)).”.

Sec. 6035. Section 2 of the District of Columbia Comprehensive Plan for a Multi-Material Recycling System Act of 1987, effective July 25, 1987 (D.C. Law 7-19; D.C. Official Code § 8-1101), is repealed.

SUBTITLE E. CLEAN AND AFFORDABLE ENERGY AMENDMENT

Sec. 6041. Short title.

This subtitle may be cited as the “Clean and Affordable Energy Emergency Amendment Act of 2016”.

Sec. 6042. The Clean and Affordable Energy Act of 2008, effective October 22, 2008 (D.C. Law 17-250; D.C. Official Code § 8-1773.01 *et seq.*), is amended as follows:

(a) Section 101 (D.C. Official Code § 8-1773.01) is amended as follows:

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

“(2) “DOEE” means the Department of Energy and Environment.”.

(2) Strike the phrase “the District Department of the Environment” wherever it appears and insert the acronym “DOEE” in its place.

(3) Paragraph (20) is amended by striking the acronym “DDOE” and inserting the acronym “DOEE” in its place.

(b) Section 201 (D.C. Official Code § 8-1774.01) is amended as follows:

(1) Strike the acronym “DDOE” wherever it appears and insert the acronym “DOEE” in its place.

(2) Strike the phrase “the District Department of the Environment” and insert the acronym “DOEE” in its place.

ENROLLED ORIGINAL

(c) Section 202 (D.C. Official Code § 8-1774.02) is amended by striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

(d) Section 203 (D.C. Official Code § 8-1774.03) is amended as follows:

(1) Strike the acronym “DDOE” both times it appears and insert the acronym “DOEE” in its place.

(2) Strike the phrase “the Energy Office” both times it appears and insert the acronym “DOEE” in its place.

(e) Section 204 (D.C. Official Code § 8-1774.04) is amended as follows:

(1) Strike the phrase “the Energy Office” and insert the acronym “DOEE” in its place.

(2) Strike the acronym “DDOE” wherever it appears and insert the acronym “DOEE” in its place.

(3) Subsection (g) is amended to read as follows:

“(g) The Board shall annually prepare and present a report on the progress of the SEU to the Council within 90 days after the conclusion of the independent review of the performance and expenditures of the SEU under section 205(k). DOEE shall make the report available to the public on its website within 10 days after its submission to the Council.”.

(f) Section 205 (D.C. Official Code § 8-1774.05) is amended as follows:

(1) Strike the phrase “District Department of the Environment” and insert the acronym “DOEE” in its place.

(2) Strike the acronym “DDOE” wherever it appears and insert the acronym “DOEE” in its place.

(g) Section 206 (D.C. Official Code § 8-1774.06) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(h) Section 207 (D.C. Official Code § 8-1774.07) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(i) Section 209 (D.C. Official Code § 8-1774.09) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(j) Section 210 (D.C. Official Code § 8-1774.10) is amended as follows:

(1) Strike the acronym “DDOE” wherever it appears and insert the acronym “DOEE” in its place.

(2) Subsection (c)(10) is amended by striking the phrase “in Fiscal Year 2016” and inserting the phrase “in Fiscal Year 2016 and \$1.2 million in Fiscal Year 2017” in its place.

(k) Section 211(e) (D.C. Official Code § 8-1774.11(e)) is amended by striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

Sec. 6043. The Renewable Energy Portfolio Standard Act of 2004, effective April 12, 2005 (D.C. Law 15-340; D.C. Official Code § 34-1431 *et seq.*), is amended as follows:

(a) Section 3(5) (D.C. Official Code § 34-1431(5)) is amended to read as follows:

“(5) “DOEE” means the Department of Energy and Environment.”.

(b) Section 6 (D.C. Official Code § 34-1434) is amended as follows:

ENROLLED ORIGINAL

(1) Subsection (d) is amended by striking the acronym “DDOE” and inserting the acronym “DOEE” in its place.

(2) Subsection (f) is amended by striking the phrase “District Department of the Environment” and inserting the acronym “DOEE” in its place.

(c) Section 8 (D.C. Official Code § 34-1436) is amended as follows:

(1) Strike the phrase “Energy Office” wherever it appears and insert the acronym “DOEE” in its place.

(2) Strike the acronym “DDOE” and insert the acronym “DOEE” in its place.

(d) Section 9 (D.C. Official Code § 34-1437) is amended by striking the phrase “Energy Office” both times it appears and inserting the acronym “DOEE” in its place.

Sec. 6044. The Green Building Act of 2006, effective March 8, 2007 (D.C. Law 16-234; D.C. Official Code § 6-1451.01 *et seq.*), is amended as follows:

(a) Section 2(9A) (D.C. Official Code § 6-1451.01(9A)) is amended to read as follows:

“(9A) “DOEE” means the Department of Energy and Environment.”

(b) Section 3 (D.C. Official Code § 6-1451.02) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(c) Section 4(c)(2) (D.C. Official Code § 6-1451.03(c)(2)) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(d) Section 10 (D.C. Official Code § 6-1451.09) is amended by striking the acronym “DDOE” wherever it appears and inserting the acronym “DOEE” in its place.

(e) Section 12(c) (D.C. Official Code § 6-1451.11(c)) is amended by striking the acronym “DDOE” both times it appears and inserting the acronym “DOEE” in its place.

Sec. 6045. The District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code § 8-151.01 *et seq.*), is amended as follows:

(a) Strike the phrase “District Department of the Environment” wherever it appears and insert the phrase “Department of Energy and Environment” in its place.

(b) Strike the acronym “DDOE” wherever it appears and insert the acronym “DOEE” in its place.

(c) Strike the word “DDOE’s” wherever it appears and insert the word “DOEE’s” in its place.

SUBTITLE F. STREETCAR AUTHORIZATION AMENDMENT

Sec. 6051. Short title.

This subtitle may be cited as the “Streetcar Authorization Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 6052. Section 5 of the District Department of Transportation DC Streetcar Amendment Act of 2012, effective April 20, 2013 (D.C. Law 19-268; D.C. Official Code § 50-921.71, note), is repealed.

Sec. 6053. Section 47-392.02(f)(6) of the District of Columbia Official Code is repealed.

Sec. 6054. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE G. PUBLICATION OF SAFETY ENHANCEMENT**RECOMMENDATIONS**

Sec. 6061. Short title.

This subtitle may be cited as the “Publication of Safety Enhancement Recommendations Emergency Amendment Act of 2016”.

Sec. 6062. Section 6103 of the Fiscal Year 2014 Budget Support Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code § 50-921.01, note), is amended as follows:

(a) The lead-in language is amended by striking the phrase “On or before February 1, 2014” and inserting the phrase “On or before January 1, 2017, and annually thereafter” in its place.

(b) Paragraph (1) is amended by striking the phrase “; and” and inserting a semicolon in its place.

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

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

“(3) A list of infrastructure and enforcement recommendations to enhance safety at each of the 10 most dangerous intersections identified pursuant to paragraph (2) of this section, and a timeline for the implementation of each recommendation.”.

SUBTITLE H. BID PARKING ABATEMENT FUND AMENDMENT

Sec. 6071. Short title.

This subtitle may be cited as the “BID Parking Abatement Fund Emergency Amendment Act of 2016”.

Sec. 6072. Section 6082(b) of the Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.341(b)), is amended to read as follows:

“(b) The Fund shall be funded by an annual appropriation in the amount of \$120,000 from the District’s annually approved budget and financial plan.”.

ENROLLED ORIGINAL

**SUBTITLE I. COMMUNITY RENEWABLE ENERGY CREDIT RATE
CLARIFICATION AMENDMENT**

Sec. 6081. Short title.

This subtitle may be cited as the “Community Renewable Energy Credit Rate Clarification Emergency Amendment Act of 2016”.

Sec. 6082. Section 101(12A) 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(12A)), is amended to read as follows:

“(12A) “CREF credit rate” means a credit rate applied to subscribers of community renewable energy facilities, which shall be equal to:

“(A) For residential customer subscribers, the full retail distribution rate, which includes generation, transmission, and distribution charges, for the standard offer service General Service Low Voltage Non-Demand Customer class or its successor, as determined by the Commission, based upon section 118; and

“(B) For commercial customer subscribers, the standard offer service rate for the General Service Low Voltage Non-Demand Customer class or its successor, as determined by the Commission, based upon section 118.”.

SUBTITLE J. COMPETITIVE GRANTS

Sec. 6091. Short title.

This subtitle may be cited as the “Competitive Grants Emergency Act of 2016”.

Sec. 6092. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed \$250,000, for a study to evaluate the feasibility, costs, and benefits of establishing a municipally owned, public electric utility in the District.

Sec. 6093. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed \$300,000, to conduct a study on aircraft noise for arriving and departing flights from Ronald Reagan Washington National Airport, including evaluation of the current noise environment, analysis of current noise impact modeling assumptions and inputs, review of current noise abatement programs, and recommendations to reduce noise or mitigate its impact.

Sec. 6094. In Fiscal Year 2017, the Department of Small and Local Business Development shall award a grant, on a competitive basis, in an amount not to exceed \$135,000, to provide clean team services to the following area: Wisconsin Avenue, N.W., from Davis Street, N.W., to R Street, N.W.

ENROLLED ORIGINAL

Sec. 6095. In Fiscal Year 2017, the Department of Energy and Environment shall award a grant, on a competitive basis, in an amount not to exceed \$200,000, to one or more nonprofit organizations to employ youth in improving and cleaning the Anacostia River and surrounding area.

SUBTITLE K. COMPOST DROP-OFF PROGRAM

Sec. 6101. Short title.

This subtitle may be cited as the “Compost Drop-Off Program Emergency Act of 2016”.

Sec. 6102. Compost drop-off program.

(a) The Department of Public Works (“Department”) shall establish a program that allows residents to drop off food waste weekly for compost.

(b) The Department shall establish one drop-off site in each ward to operate year-round.

(c) The Department shall provide the public with instructional materials that describe:

(1) How to collect food waste for compost; and

(2) What food waste is appropriate for compost.

(d) If the Department requires residents to purchase any materials or equipment to participate in the program, the Department shall sell the materials or equipment at cost; provided, that the Department shall provide any required materials or equipment for free to any resident who participates in a federal assistance program.

SUBTITLE L. ENVIRONMENTAL LITERACY PROGRAM AMENDMENT

Sec. 6111. Short title.

This subtitle may be cited as the “Environmental Literacy Program Emergency Amendment Act of 2016”.

Sec. 6112. Section 502(d) of the Healthy Schools Act of 2010, effective July 27, 2010 (D.C. Law 18-209; D.C. Official Code § 38-825.02(d)), is amended to read as follows:

“(d)(1) The Office of the State Superintendent of Education (“OSSE”) shall establish an Environmental Literacy Leadership Cadre (“Cadre”), which shall be comprised of teachers, selected by OSSE, at public schools and public charter schools. Each teacher in the Cadre shall:

“(A) Create, if applicable, and help maintain a garden at the teacher’s school;

“(B) Implement composting and recycling programs at the teacher’s school;

“(C) Implement the June 2012 environmental literacy plan, or a subsequent environmental literacy plan developed pursuant to this section, and other OSSE-approved guidance, at the teacher’s school; and

“(D) Assist other teachers at the teacher’s school with incorporating science standards.

ENROLLED ORIGINAL

“(2) OSSE shall provide each teacher selected to participate in the Cadre with an appropriate and fair stipend, in addition to the teacher’s salary.

“(3) OSSE shall provide grants to nonprofit and community-based organizations to support the schools represented in the Cadre by providing or coordinating programs and activities related to school-based environmental literacy programs.

“(4) OSSE may create or implement other initiatives or projects that support the Cadre.”.

SUBTITLE M. SELF-SERVICE EXHAUST EMISSIONS TESTING PILOT PROGRAM

Sec. 6141. Short title.

This subtitle may be cited as the “Self-Service Exhaust Emissions Testing Pilot Program Emergency Amendment Act of 2016”.

Sec. 6142. An Act To provide for the annual inspection of all motor vehicles in the District of Columbia, approved February 18, 1938 (52 Stat. 78; D.C. Official Code § 50-1101 *et seq.*), is amended by adding a new section 10 to read as follows:

“Sec. 10. Self-service exhaust emissions testing pilot program.

“(a) Within 120 days of the effective date of the Self-Service Exhaust Emissions Testing Pilot Program Amendment Act of 2016, passed on 2nd reading on June 21, 2016 (Enrolled version of Bill 21-669), the Department of Motor Vehicles (“Department”) shall establish a pilot program to provide for the use of one or more self-service kiosks to test motor vehicles for exhaust emissions.

“(b) At a minimum, each kiosk shall allow:

“(1) An individual to test a motor vehicle to determine whether the vehicle complies with the exhaust emissions standards established under this act and regulations issued pursuant to this act; and

“(2) For testing 24 hours per day, 7 days per week, on a first-come, first-served basis; provided, that the Department may periodically close a kiosk for necessary maintenance.

“(c) The Department shall establish the specifications for the kiosks, the types of motor vehicles that are eligible for self-service exhaust emissions testing, the location of the kiosks, and the cost per test; provided, that the cost per test shall not exceed the cost per test of an exhaust emissions test conducted at a non-self-service inspection station.

“(d) The Department may enter into contracts with one or more vendors for the equipment, operation, and maintenance necessary to conduct the pilot program.

“(e) On or before March 30, 2018, the Department shall submit a written report to the Council that evaluates the pilot program’s operations, including the number of vehicles inspected, a description of issues that arose during the reporting period, and a study of the impact of the pilot program on the number of vehicles inspected and wait times at non-self-service inspection stations.”.

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Sec. 6143. Sunset.

This subtitle shall expire on September 30, 2018.

SUBTITLE N. WAIVER OF PUBLIC SPACE PERMIT FEES FOR CIVIC ASSOCIATIONS

Sec. 6161. Short title.

This subtitle may be cited as the “Civic Associations Public Space Permit Fee Waiver Emergency Amendment Act of 2016”.

Sec. 6162. Section 603a of the Fiscal Year 1997 Budget Support Act of 1996, effective December 2, 2011 (D.C. Law 19-48; D.C. Official Code § 10-1141.03a), is amended as follows:

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

(b) The newly designated subsection (a)(1) is amended by striking the phrase “Is conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

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

“(b) For the purposes of this section, the term “civic association” means an organization that is:

“(1) Comprised of residents of the community within which the public space, public right of way, or public structure is located;

“(2) Operated primarily for the improvement of the community within which the public space, public right of way, or public structure is located; and

“(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3), (4)).”.

Sec. 6163. Section 24-225.12 of the District of Columbia Municipal Regulations is amended as follows:

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

(b) The newly designated paragraph (a)(1) is amended by striking the phrase “Is conducted by a” and inserting the phrase “Is conducted by a civic association or a” in its place.

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

“(b) For the purposes of this subsection, the term “civic association” means any organization that is:

“(1) Comprised of residents of the community within which the public space, public right-of-way, or public structure is located;

“(2) Operated primarily for the improvement or benefit of the community within which the public space, public right-of-way, or public structure is located; and

“(3) Exempt from taxation under section 501(c)(3) or (4) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3) or (4)).”.

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SUBTITLE O. KINGMAN ISLAND AND HERITAGE ISLAND STUDY.

Sec. 6171. Short title.

This subtitle may be cited as the “Kingman Island and Heritage Island Planning and Feasibility Study Emergency Act of 2016”.

Sec. 6172. (a) By May 1, 2017, the Director of the Department of Energy and Environment (“Director”) shall submit to the Council a proposal for the use of Kingman Island and Heritage Island for recreational, environmental, and educational purposes and a report supporting the proposal.

(b) The report shall assess the feasibility and cost of developing, maintaining, and managing a state-of-the-art nature center and other possible structures consistent with the National Children’s Island Act of 1995, approved July 19, 1996 (110 Stat. 1416; D.C. Official Code § 10-1401 *et seq.*), the Anacostia Waterfront Framework Plan, and the Comprehensive Plan. The report shall include:

- (1) A feasibility review of existing architectural drawings for a nature center;
 - (2) Cost estimates for building any proposed infrastructure or amenities necessary to conduct recreational, environmental, and educational events on Kingman Island and Heritage Island;
 - (3) Maintenance costs for the nature center, other structures such as a covered pavilion for performances and events, and any infrastructure;
 - (4) Potential partnerships for recreational, environmental, and educational activities on Kingman Island and Heritage Island; and
 - (5) Management options for the nature center and related infrastructure.
- (c) In developing the proposal and report, the Director shall coordinate with:
- (1) The Deputy Mayor for Planning and Economic Development;
 - (2) The Department of Parks and Recreation;
 - (3) The District Department of Transportation;
 - (4) Nonprofit organizations focused on the restoration of the Anacostia River;
 - (5) Nonprofit organizations that provide environmental and educational programs and activities;
 - (6) Residents in nearby neighborhoods; and
 - (7) Other possible public and private partners for recreational, environmental, and educational activities on Kingman Island and Heritage Island.

SUBTITLE P. LOCAL FOOD ECONOMY STUDY

Sec. 6181. Short title.

This subtitle may be cited as the “Local Food Economy Study Emergency Act of 2016”.

Sec. 6182. Local food economy study.

The Office of Planning shall conduct a study of the state of the local food economy. The focus of the study shall include:

ENROLLED ORIGINAL

- (1) Obstacles and opportunities for new and existing businesses;
- (2) Opportunities for job growth and workforce development;
- (3) Geographic areas in the District that have a well-developed food economy;
- (4) Geographic areas in the District that have a poorly developed food economy;
- and
- (5) Opportunities for government investments to improve the local food economy.

SUBTITLE Q. PERSONAL DELIVERY DEVICES PILOT PROGRAM

Sec. 6191. Short title.

This subtitle may be cited as the “Personal Delivery Device Pilot Program Emergency Act of 2016”.

Sec. 6192. Definitions.

For the purposes of this subtitle, the term:

- (1) “Central Business District” shall have the same meaning as provided in section 9901 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 9901).
- (2) “Crosswalk” means that part of a roadway at an intersection included within the lateral lines connecting sidewalks on opposite sides of the roadway.
- (3) “DDOT” means the District Department of Transportation.
- (4) “Director” means the Director of the District Department of Transportation.
- (5) “Operator” means a person who has the ability to control the operations of a PDD through the use of remote control technology.
- (6) “PDD” means a device powered by an electric motor, for use primarily on sidewalks, capable of:
- (A) Transporting items with or without an operator directly controlling the device;
 - (B) Identifying and yielding to:
 - (i) Pedestrians;
 - (ii) Bicyclists;
 - (iii) Other lawful users of public space; and
 - (iv) Property;
 - (C) Navigating public thoroughfares; and
 - (D) Interpreting traffic signals and signs at crosswalks.
- (7) “Pedestrian” means any person afoot or who is using a wheelchair.
- (8) “Public thoroughfare” means any street, road, alley, or paved public space that is under the jurisdiction of the District of Columbia.

Sec. 6193. Establishment of a personal delivery device pilot program.

DDOT shall implement a pilot program, effective September 15, 2016, through December 31, 2017, for the registration and operation of PDDs in the District. A person or entity

ENROLLED ORIGINAL

registered under this pilot program is authorized to operate up to 5 PDDs in the District in accordance with section 6196.

Sec. 6194. Application.

To register for the pilot program established in section 6193, the applicant shall submit an application to the Director including:

- (1) The applicant's legal name, business address, telephone number, and e-mail address;
- (2) A certification by the applicant that:
 - (A) Each PDD is safe to operate on sidewalks, crosswalks, and public thoroughfares interconnected to sidewalks and crosswalks;
 - (B) Each PDD will comply with the requirements and limitations provided in section 6196;
 - (C) No more than 5 PDDs will be operated by the applicant in the District;
 - (D) The person signing the application has reviewed it and determined that the information provided is true and accurate; and
 - (E) The person signing the application is authorized to sign and file the application;
- (3) The proposed geographic locations within the District where the applicant intends to operate the PDDs; and
- (4) A nonrefundable fee of \$250.

Sec. 6195. Registration and revocation.

- (a) An applicant who submits a complete application to the Director in accordance with section 6194 shall be registered for the pilot program within 15 calendar days of submission.
- (b) A registration for the pilot program shall be valid for one year from the date of registration, or until December 31, 2017, whichever is first.
- (c) A registrant shall notify the Director within 15 calendar days of any change in the information on the pilot program application as submitted.
- (d) The Director may revoke a registration for the pilot program if the Director determines that the registrant has violated a provision of this subtitle.

Sec. 6196. Personal delivery device operation

- (a) Except within the Central Business District, a PDD that is registered under section 6195 and complies with subsection (b) of this section may operate on sidewalks and crosswalks under the jurisdiction of the District of Columbia, and transitorily on public thoroughfares interconnected to sidewalks and crosswalks.
- (b) To operate in the District, a PDD shall:
 - (1) Be operated in a safe and non-hazardous manner so as not to endanger:
 - (A) Pedestrians;
 - (B) Bicyclists;

ENROLLED ORIGINAL

- (C) Other lawful users of public space; or
 - (D) Property;
 - (2) Not operate above 10 miles per hour;
 - (3) Have a gross weight of less than 50 pounds, excluding cargo;
 - (4) Not interfere with pedestrian or bicycle traffic;
 - (5) Yield the right-of-way to all vehicles approaching on a roadway upon entering a crosswalk to the extent necessary to safely cross the roadway, except when crossing pursuant to a crosswalk pedestrian signal;
 - (6) Have a system that alerts the operator if a technology failure or loss of communication occurs, and when such an alert is given, that:
 - (A) Requires the operator to assume direct control of the PDD; and
 - (B) If the operator is unable to assume control of the device, causes the PDD to safely come to an off-roadway stop; and
 - (7) Obey all traffic and pedestrian control signals and signs.
- (c) In the case of a technology failure or other circumstance that causes the PDD to come to a stop in a location other than property owned by the owner of the PDD, the owner of the PDD shall remove the PDD within 24 hours.

Sec. 6197. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE VII. FINANCE AND REVENUE

SUBTITLE A. SUBJECT TO APPROPRIATIONS AMENDMENTS

Sec. 7001. Short title.

This subtitle may be cited as the “Subject to Appropriations Emergency Amendment Act of 2016”.

Sec. 7002. Section 4 of the Access to Emergency Epinephrine in Schools Amendment Act of 2015, effective March 9, 2016 (D.C. Law 21-77; 63 DCR 756), is repealed.

Sec. 7003. Section 3 of the Injured Worker Fair Pay Amendment Act of 2015, effective December 15, 2015 (D.C. Law 21-39; 62 DCR 13744), is repealed.

Sec. 7004. Section 4 of the Vault Tax Clarification Amendment Act of 2011, effective January 12, 2012 (D.C. Law 19-78; 58 DCR 10102), is repealed.

Sec. 7005. Section 3 of the Notice Requirements for Historic Properties Amendment Act of 2014, effective April 30, 2015 (D.C. Law 20-249; 62 DCR 1512), is repealed.

Sec. 7006. Section 3 of the Higher Education Tax Exemption Act of 2016, effective May 12, 2016 (D.C. Law 21-113; 63 DCR 4328), is repealed.

ENROLLED ORIGINAL

Sec. 7007. Section 7 of the Made in DC Program Establishment Act of 2016, enacted on May 3, 2016 (D.C. Act 21-388; 63 DCR 7141), is repealed.

Sec. 7008. Section 14 of the Repeal of Outdated and Unnecessary Audit Mandates Amendment Act of 2016, enacted on May 10, 2016 (D.C. Act 21-392; 63 DCR 7589), is repealed.

Sec. 7009. Section 3 of the Campaign Finance Reform and Transparency Amendment Act of 2013, effective February 22, 2014 (D.C. Law 20-79; 61 DCR 153), is repealed.

Sec. 7010. Section 3 of the Voter Registration Access and Ballot Modernization Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-158; 61 DCR 10730), is repealed.

Sec. 7011. Section 601 of the Transportation Reorganization Amendment Act of 2016, effective June 22, 2016 (D.C. Law 21-124; 63 DCR 7076), is repealed.

Sec. 7012. Section 4(b) of the Tree Canopy Protection Amendment Act of 2015, enacted on May 4, 2016 (D.C. Act 21-386; 63 DCR 7134), is repealed.

Sec. 7013. The Trash Compactor Tax Incentive Amendment Act of 2014, effective March 11, 2015 (D.C. Law 20-223; 62 DCR 227), is amended as follows:

(a) Section 202(b)(1) is amended by adding a new subparagraph (C) to read as follows:

“(C) The total amount of grants for Fiscal Year 2017 shall not exceed \$1 million.”.

(b) Section 301(b) is amended to read as follows:

“(b)(1) Title II of this act shall apply as of October 1, 2016.

“(2) After September 30, 2017, Title II of this act shall apply for the tax year in which its fiscal effect has been included in an approved budget and financial plan.

“(3) The Chief Financial Officer shall certify the date of the inclusion of the fiscal effect in an approved budget and financial plan, and provide notice to the Budget Director of the Council of the certification.

“(4)(A) The Budget Director shall cause the notice of the certification to be published in the District of Columbia Register.

“(B) The date of publication of the notice of the certification shall not affect the applicability of this title.”.

Sec. 7014. Section 3 of the New Issue Bond Program Tax Exemption Amendment Act of 2011, effective December 31, 2011 (D.C. Law 19-60; D.C. Official Code § 42-1102, note), is repealed.

ENROLLED ORIGINAL

Sec. 7015. Section 502(d) of the Sustainable DC Omnibus Act of 2014, effective December 17, 2014 (D.C. Law 20-142; 61 DCR 8045), is amended to read as follows:

“(d) Title III, Subtitle A, section 302(b) shall apply as of October 1, 2015.”

Sec. 7016. Section 401 of the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; 61 DCR 9971), is repealed.

Sec. 7017. Section 6(b) of the Food Policy Council and Director Establishment Act of 2014, effective March 10, 2015 (D.C. Law 20-191; 61 DCR 12160), is amended to read as follows:

“(b) Section 5 shall apply as of October 1, 2015.”

Sec. 7018. Section 5 of the Primary Date Alteration Amendment Act of 2014, effective May 2, 2015 (D.C. Law 20-273; 62 DCR 1938), is repealed.

Sec. 7019. The St. Matthews Evangelical Lutheran Church Community Garden Equitable Real Property Tax Relief Act of 2014, effective March 10, 2015 (D.C. Law 20-200; 61 DCR 12563), is amended as follows:

(a) Section 2 is amended by striking the phrase “be refunded, so long as the property is used as a community garden” and inserting the phrase “be refunded.” in its place.

(b) Section 3 is repealed.

**SUBTITLE B. OMNIBUS BUDGET SUPPORT CLARIFICATION
AMENDMENT**

Sec. 7021. Short title.

This subtitle may be cited as the “Omnibus Budget Support Clarification Emergency Amendment Act of 2016”.

Sec. 7022. The Fiscal Year 2016 Budget Support Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended as follows:

(a) Section 1072(a)(1) is amended by striking the date “December 15, 2016” and inserting the date “April 30, 2017” in its place.

(b) Section 6004 is repealed.

(c) Section 6193 is amended by striking the date “September 30, 2016” and inserting the date “September 30, 2017” in its place.

(d) Section 8042(g) is amended by striking the phrase “Notwithstanding any other provision of this act” and inserting the phrase “Notwithstanding any other provision of this act, and excluding any Master Lease for Vehicle Purchase (Fund Detail 0302) funds” in its place.

(e) Section 8052 is amended as follows:

(1) Strike the phrase “YY105C” in the tabular array and insert the phrase “YY159C” in its place.

ENROLLED ORIGINAL

(2) Strike the phrase “PROSPECT ES MODERNIZATION/RENOVATION” in the tabular array and insert the phrase “ELLINGTON MODERNIZATION/RENOVATION” in its place.

Sec. 7023. Section 7154 of the IPW Fund, Destination DC Marketing Fund, and WMATA Momentum Support Fund Establishment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-325.311), is amended to read as follows:

“Sec. 7154. WMATA Operations Support Fund.

“(a) There is established as a special fund the WMATA Operations Support Fund (“Fund”), which shall be administered by the Chief Financial Officer in accordance with subsection (c) of this section.

“(b)(1) Upon affirmance of the trial court’s summary-judgment rulings by the District of Columbia Court of Appeals in *District of Columbia v. Expedia, Inc., et al.*, Nos. 14-CV-308, 14-CV-309, the full amount the District obtains pursuant to the consent judgments entered by the trial court, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, minus the amounts designated for other purposes in sections 7152 and 7153 and in the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Emergency Act of 2015, effective October 6, 2015 (D.C. Act 21-153; 62 DCR 13178), and the Fiscal Year 2015 and Fiscal Year 2016 Revised Budget Request Adjustment Temporary Act of 2015, enacted on October 22, 2015 (D.C. Act 21-171; 62 DCR 13979), shall be deposited into the Fund.

“(2) The full amount the District obtains pursuant to any and all settlements, judgments, or recoveries in *District of Columbia v. Bank of America, N.A., et al.*, No. 2008 CA 007763 B, to include any additional amounts in taxes and interest paid by defendants or accrued during the pendency of that litigation, shall be deposited into the Fund.”

“(c) The monies in the Fund shall be available to fund extraordinary or unanticipated operating or capital needs of the Washington Metropolitan Area Transit Authority (“WMATA”) that arise outside of WMATA’s regular inter-jurisdictional subsidy allocation formulae.

“(d)(1) The money deposited into the Fund, and interest earned, 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.

“(2) Subject to authorization in an approved budget and financial plan, any funds appropriated in the Fund shall be continually available without regard to fiscal year limitation.”

Sec. 7024. Section 308(d)(1) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1160; D.C. Official Code § 10-1103.07(d)(1)), is amended by striking the phrase “For periods beginning after June 30, 2015, interest on unpaid vault rent” and inserting the phrase “Beginning September 15, 2015, interest on any unpaid vault rent for any vault year” in its place.

ENROLLED ORIGINAL

Sec. 7025. Section 2 of the Accrued Sick and Safe Leave Act of 2008, effective May 13, 2008 (D.C. Law 17-152; D.C. Official Code § 32-131.01), is amended as follows:

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

(1) Subparagraph (E) is amended by striking the word “or”.

(2) Subparagraph (F) is amended by striking the period and inserting the phrase “; or” in its place.

(3) A new subparagraph (G) is added to read as follows:

“(G) A substitute teacher or a substitute aide who is employed by District of Columbia Public Schools for a period of 30 or fewer consecutive work days.”.

(b) New paragraphs (9) and (10) are added to read as follows:

“(9) “Substitute aide” means an individual who is employed by District of Columbia Public Schools to provide instructional assistance (general, specialized, or concentrated) to students on a temporary basis when the regular instructional aide is unavailable. The term “substitute aide” does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.

“(10) “Substitute teacher” means an individual who is employed by District of Columbia Public Schools to work as a classroom teacher on a temporary basis when the regular teacher is unavailable. The term “substitute teacher” does not include an individual employed by District of Columbia Public Schools on a term or full-time assignment.”.

Sec. 7026. Section 2(g) of the Youth Employment Act of 1979, effective January 5, 1980 (D.C. Law 3-46; D.C. Official Code § 32-241(g)), is amended as follows:

(a) Paragraph (4) is amended by striking the word “outcomes” and inserting the phrase “outcomes as of December 31, 2015,” in its place.

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

“(5) In Fiscal Year 2016, the District of Columbia Auditor shall conduct an evaluation of multiple years of the summer youth jobs program to assess whether the program has met and is meeting program objectives.”.

Sec. 7027. Section 2(h) of the School Transit Subsidy Act of 1978, effective March 6, 1979 (D.C. Law 2-152; D.C. Official Code § 35-233(h)), is amended as follows:

(a) Paragraph (2)(A) is amended by striking the phrase “Under 22 years of age” and inserting the phrase “A resident of the District of Columbia under 22 years of age” in its place.

(b) Paragraph (6) is repealed.

Sec. 7028. Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-355.07 is amended as follows:

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

(A) Subparagraph (A) is amended by striking the phrase “serve at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

ENROLLED ORIGINAL

(B) Subparagraph (B) is amended by striking the phrase “serves at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

(C) Subparagraph (D) is amended by striking the phrase “serves at the pleasure of” and inserting the phrase “shall be appointed by” in its place.

(2) Subsection (d)(3)(D) is amended by striking the phrase “taken or proposed to be taken” and inserting the word “recommended” in its place.

(3) New subsections (d-1), (d-2), and (d-3) are added to read as follows:

“(d-1)(1) The Review Board shall conduct an investigation upon receipt of a report of an alleged violation.

“(2) In investigating a report of an alleged violation, the Review Board may:

“(A) Request assistance from the Office of the Chief Financial Officer, the Office of the Inspector General, and the Office of the Attorney General; and

“(B) Consult with the Office of the Attorney General for the purposes of obtaining legal advice.

“(d-2) The Review Board:

“(1) Shall have access, subject to any privileges or confidentiality requirements as provided by law, to all facilities, files, and databases of the District government, including all files, electronic paper records, reports, documents, and other materials that may relate to the investigation;

“(2) May request information or assistance from any District, federal, state, or local government agency as may be necessary for carrying out the investigation; and

“(3) May seek information from parties outside the District government, including government contractors, that may be relevant to the investigation.

“(d-3)(1) Subject to any applicable privileges, all officers, employees, and members of boards, commissions, and councils of the District government shall cooperate in an investigation by the Review Board and shall provide documents, materials, and information to the Review Board upon request.

“(2) Subject to any applicable privileges, officers, employees, and members of boards, commissions, and councils of the District government shall respond truthfully to all questions posed by the Review Board, and shall not prevent or prohibit the Review Board from initiating, carrying out, or completing an investigation within its jurisdiction.

“(3) The Review Board:

“(A) May require any officer, employee, or member of a board, commission, or council of the District government, including the subject of an allegation, to appear before the Review Board; and

“(B) Shall provide any officer, employee, or member of a board, commission, or council of the District who is potentially subject to disciplinary action an opportunity to appear before the Review Board.

“(4) The Review Board may recommend an appropriate disciplinary action with respect to any officer, employee, or member of a board, commission, or council of the District government who fails to cooperate fully with a Review Board investigation.”.

(b) Chapter 13A is amended as follows:

ENROLLED ORIGINAL

(1) Section 47-1341 is amended as follows:

(A) Subsection (a)(1) is amended by striking the phrase “, postage prepaid, bearing a postmark from the United States Postal Service,”.

(B) Subsection (b-1)(1) is amended by striking the phrase “, postage prepaid, bearing a postmark from the United States Postal Service,”.

(2) Section 47-1353.01(a) is amended by striking the phrase “, postage prepaid, bearing a postmark from the United States Postal Service to the last known address of the owner” and inserting the phrase “to the person who last appears as the owner of the real property on the tax roll, at the last address shown on the tax roll, as updated by the filing of a change of address in accordance with § 42-405” in its place.

(c) Chapter 18 is amended as follows:

(1) The table of contents is amended by striking the phrase “Tax haven updates.” and inserting the phrase “Tax haven updates. (Repealed).” in its place.

(2) Section 47-1801.04 is amended as follows:

(A) Paragraph (11) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “calendar year beginning January 1, 2011” wherever it appears and inserting the phrase “base year” in its place.

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

“(C) For the purposes of this paragraph, the term “base year” shall mean the calendar year beginning January 1, 2011, or the calendar year beginning one calendar year before the calendar year in which the new dollar amount of a deduction or exemption shall become effective, whichever is later.”.

(B) Paragraph (49) is amended as follows:

(i) Subparagraph (A) is amended by striking the phrase “means the jurisdictions listed in subparagraph (B-i) of this paragraph and any jurisdiction that” and inserting the phrase “means a jurisdiction that” in its place.

(ii) Subparagraph (B-i) is repealed.

(3) Section 47-1806.02(h-1)(1) of the District of Columbia Official Code is amended to read as follows:

“(h-1)(1) For taxable years beginning after December 31, 2014, the amount of the personal exemption otherwise allowable for the taxable year in the case of an individual whose adjusted gross income exceeds \$150,000 shall be reduced by 2% for every \$2,500 (or fraction thereof) by which the taxpayer’s adjusted gross income for the taxable year exceeds \$150,000.”.

(4) Section 47-1807.02(a)(6) is amended by striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

(5) Section 47-1808.03(a)(6) is amended by striking the phrase “9%” and inserting the phrase “9.2%, 9%” in its place.

(6) Section 47-1810.09 is repealed.

ENROLLED ORIGINAL

Sec. 7029. Section 6012 of the Unlawfully Parked Vehicles Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), is amended by striking the phrase “shall be a violation of” and inserting the phrase “shall be a violation, to be adjudicated pursuant to” in its place.

Sec. 7030. Section 2404 of Title 18 of the District of Columbia Municipal Regulations (18 DCMR § 2404) is amended as follows:

(a) Subsection 2404.15 is amended to read as follows:

“2404.15 Except as provided in § 2424, the rates for parking meters in the “Premium Demand Parking Meter Rate Zones” shall be as follows:

“(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

“(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

(b) Subsection 2404.17 is amended to read as follows:

“2404.17 Except as provided in § 2424, the rates for parking meters in the “Normal Demand Parking Meter Rate Zones” shall be as follows:

“(a) Fifty cents (50¢) for thirteen minutes (13 min.) for automobile size spaces; and

“(b) Twenty-five cents per hour (25¢/hr.) for motorcycle size spaces.”.

SUBTITLE C. COMBINED REPORTING AMENDMENT

Sec. 7041. Short title.

This subtitle may be cited as the “Combined Reporting Emergency Amendment Act of 2016”.

Sec. 7042. Section 47-1810.08(b) of the District of Columbia Official Code is amended as follows:

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

(b) The newly designated paragraph (1) is amended by striking the phrase “5th year” and inserting the phrase “10th year” in its place.

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

“(2) If there is an underpayment of estimated tax for tax year 2015 as a result of taking into account the deduction pursuant to this section, the estimated tax interest resulting from such underpayment, upon application, shall be waived.”.

Sec. 7043. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE D. FRANCHISE TAX RETURN DUE DATE

Sec. 7051. Short title.

This subtitle may be cited as the “Franchise Tax Return Due Date Emergency Amendment Act of 2016”.

ENROLLED ORIGINAL

Sec. 7052. Chapter 18 of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1805.01 is amended by striking the word “Mayor” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(b) Section 47-1805.02 is amended by striking the word “Mayor” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(c) Section 47-1805.03 is amended as follows:

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

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

(B) The newly designated paragraph (1) is amended as follows:

(i) Strike the phrase “All returns” and insert the phrase “For tax years beginning before January 1, 2016, all returns” in its place.

(ii) Strike the phrase “filed with the Mayor” and insert the phrase “filed with the Chief Financial Officer” in its place.

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

“(2) For tax years beginning after December 31, 2015, all returns of income for the preceding taxable year required to be filed by § 47-1805.01 shall be filed with the Chief Financial Officer on or before the 15th day of April of each year; except, that such returns, if made on the basis of a fiscal year, shall be filed on or before the 15th day of the 4th month following the close of such fiscal year.”.

(2) Subsection (b) is amended by striking the phrase “The Mayor” and inserting the phrase “The Chief Financial Officer” in its place.

Sec. 7053. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE E. COLLEGE SAVINGS PROGRAM AMENDMENT

Sec. 7061. Short title.

This subtitle may be cited as the “College Savings Program Emergency Amendment Act of 2016”.

Sec. 7062. The lead-in language of section 47-4512(b)(1) of the District of Columbia Official Code is amended to read as follows:

“By May 31st of each year, the Chief Financial Officer shall submit to the Council a report for the preceding fiscal year, which shall include:”.

SUBTITLE F. D.C. LOTTERY AMENDMENT

Sec. 7071. Short title.

This subtitle may be cited as the "Lottery Emergency Amendment Act of 2016".

ENROLLED ORIGINAL

Sec. 7072. Section 4 of the Law to Legalize Lotteries, Daily Numbers Games, and Bingo and Raffles for Charitable Purposes in the District of Columbia, effective March 10, 1981 (D.C. Law 3-172; D.C. Official Code § 3-1301 *et seq.*), is amended as follows:

(a) Section 2-2501 (D.C. Official Code § 3-1301) is amended to read as follows:

“Section 2-2501. Creation; established as an office within the Office of the Chief Financial Officer; transfer of powers; definitions.

“(a) There is hereby created by the District of Columbia, the District of Columbia Lottery and Charitable Games Control Board.

“(b) Effective with the appointment of the first Chief Financial Officer under section 424(b) and pursuant to section 424(a)(3) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), the Board is established as the Office of Lottery and Charitable Games, a subordinate office within the Office of the Chief Financial Officer. All of the powers, duties, functions, and personnel of the Board are transferred to the Office of the Chief Financial Officer.

“(c) For the purposes of this act, the term:

“(1) “Board” means the District of Columbia Lottery and Charitable Games Control Board established by this section.

“(2) “Office” means the Office of Lottery and Charitable Games established by this section.”.

(b) Section 2-2502 (D.C. Official Code § 3-1302) is amended to read as follows:

“Section 2-2502. Oath requirement.

“Before entering upon the discharge of the duties of office, the Executive Director and the Deputy Director shall take an oath that he or she will faithfully execute the duties of office according to the laws of the District of Columbia. In addition, each employee of the Office shall take and subscribe to an oath or affirmation that he or she is not pecuniarily interested, voluntarily or involuntarily, directly or indirectly, in any firm, partnership, association, organization, or corporation engaged in any activity related to legalized or illegal gambling. If required by the Chief Financial Officer, an employee shall file a financial disclosure statement according to the laws of the District of Columbia.”.

(c) Section 2-2503 (D.C. Official Code § 3-1303) is amended to read as follows:

“Section 2-2503. Executive Director and Deputy Director.

“(a)(1) Pursuant to section 424a of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), after consultation with the Mayor and the Council, the Chief Financial Officer shall appoint an Executive Director and a Deputy Director of the Office, each of whom shall serve at the pleasure of the Chief Financial Officer.

“(2) The Chief Financial Officer shall determine the compensation for the Executive Director and the Deputy Director.

“(3) Before performing the duties of their respective offices, the Executive Director and the Deputy Director shall take the oath of office as required by section 2-2502 of section 4 (D.C. Official Code § 3-1302).

ENROLLED ORIGINAL

“(b)(1) Subject to the direction and supervision of the Chief Financial Officer, the Executive Director shall:

“(A) Serve as the chief executive officer of the Office;

“(B) Manage, administer, and coordinate the operation of public gambling and charitable games activities; and

“(C) Employ other assistants and employees who shall serve at the pleasure of the Chief Financial Officer.

“(2)(A) The Chief Financial Officer may delegate any of his or her functions to the Executive Director or to any other officer or employee of the Office, and may delegate to the Executive Director or other employee such other duties the Chief Financial Officer considers necessary for the proper and efficient operation of public gambling and charitable activities.

“(B) The Executive Director may, with the approval of the Chief Financial Officer, make a further delegation of all or a part of the functions to subordinates under his or her jurisdiction.

“(C) The Chief Financial Officer may revoke any delegation at any time.”.

(d) Section 2-2504 (D.C. Official Code § 3-1304) is amended to read as follows:

“Section 2-2504. Bonding and fingerprinting.

“The Chief Financial Officer may require an Office employee to give a bond in an amount determined by the Chief Financial Officer. Every such bond shall be filed with the District of Columbia Treasurer. The cost of a bond given pursuant to this section shall be part of the necessary expenses of the Office. Further, Office employees shall be fingerprinted before, and as a condition of, employment.”.

(e) Section 2-2505 (D.C. Official Code § 3-1305) is amended by striking the phrase “No member of the Board, Chairperson of the Board, Executive Director, or employee of the Board” and inserting the phrase “Neither the Executive Director nor any employee of the Office” in its place.

(f) Section 2-2506 (D.C. Official Code § 3-1306) is amended as follows:

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

(A) Strike the phrase “The Board shall have” both times it appears and insert the phrase “The Chief Financial Officer shall have” in its place.

(B) Strike the phrase “existing licensees of the Board” and insert the phrase “existing licensees of the Office” in its place.

(C) Strike the phrase “Corporation Counsel” and insert the phrase “Attorney General” in its place.

(2) Subsection (b) is amended by striking the word “Board” both times it appears and inserting the phrase “Chief Financial Officer” in its place.

(g) Section 2-2507 (D.C. Official Code § 3-1307) is amended as follows:

(1) Strike the phrase “The Board” both times it appears and insert the phrase “The Chief Financial Officer” in its place.

(2) Strike the phrase “disbursements of the Board” and insert the phrase “disbursements of the Office” in its place.

ENROLLED ORIGINAL

(3) Strike the phrase “which the Board may deem” and insert the phrase “that the Chief Financial Officer may consider” in its place.

(h) Section 2-2508 (D.C. Official Code § 3-1308) is amended to read as follows:

“Section 2-2508. Power to administer oaths and take testimony; subpoena power.

“(a)(1) The Chief Financial Officer, the designee of the Chief Financial Officer, or other agent authorized by law (“empowered authority”) shall have the power to administer oaths and take testimony under oath relative to a matter of inquiry or investigation undertaken pursuant to this act.

“(2) At a hearing ordered by the Chief Financial Officer or designee, the empowered authority may subpoena witnesses and require production of records, papers, and documents relevant to the inquiry or investigation.

“(b) The refusal or failure to provide relevant testimony or produce relevant records, papers, or documents pursuant to a properly issued subpoena of the Chief Financial Officer or designee by any applicant before the empowered authority, or by any officer, director, or employee of the applicant, licensee, or agent, may subject the applicant to summary denial of its application and summary termination of its license or authorization of the licensee or agent.

“(c) If a person disobeys the process authorized pursuant to this section or having appeared in obedience to a lawful request to appear refuses to answer any relevant or pertinent question propounded by the empowered authority, the Chief Financial Officer, or designee, may apply to the Superior Court of the District of Columbia (“Court”), or to any judge of the Court if the Court is not in session, setting forth the facts relating to the disobedience to the process or refusal to answer questions, and the Court shall order the person to appear before the Court to answer the questions the person had been asked or to produce the records, papers, or documents sought at the inquiry or investigation.

“(d) Upon the person’s continued refusal, the Court, in accordance with the appropriate provisions of District law, shall take such punitive action as the Court considers necessary and appropriate.

“(e) Notwithstanding the imposition of any punitive action imposed on the person by the Court, the Chief Financial Officer, or designee, may proceed with the inquiry or investigation as if the person had not previously been called to testify.”

(i) Section 2-2509 (D.C. Official Code § 3-1309) is amended to read as follows:

“Section 2-2509. Recordkeeping.

“The Chief Financial Officer shall maintain full and complete records of the conduct and operation of daily numbers games and lotteries and of the regulation of bingo, raffles, and Monte Carlo Night parties, which records shall include a statement of revenues and license fees, prize disbursements, and administrative expenses. The records shall be open and available to the public.”

(j) Section 2-2510 (D.C. Official Code § 3-1310) is amended to read as follows:

“Section 2-2510. Authority to establish divisions.

“The Chief Financial Officer shall have the authority to establish divisions within the Office.”

ENROLLED ORIGINAL

(k) Section 2-2511 (D.C. Official Code § 3-1311) is amended to read as follows:

“Section 2-2511. Budget.

“(a)(1) The Chief Financial Officer shall submit to the Mayor a consolidated budget covering all anticipated income, expenses (including all start-up costs), and capital outlays of the Office, which budget shall show the net amount for which it requests an appropriation.

“(2) The net amount for which the Chief Financial Officer requests an appropriation shall be the difference between the anticipated expenses for the coming fiscal year, including debt service for capital expenses and a reserve for bad debts, as shown in the consolidated budget, and the anticipated income shown in that budget.

“(b)(1) The budget shall be submitted on the date that all District government agencies are required to submit their budgets to the Mayor.

“(2) The Mayor shall transmit to the Council the budget as requested by the Chief Financial Officer. The Mayor may also submit a modified budget, as the Mayor considers appropriate.”.

(l) Section 2-2512 (D.C. Official Code § 3-1312) is amended as follows:

(1) Subsection (a) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

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

“(b) Any monies of the Office, from whatever source derived (including gifts to the Office), shall be for the sole use of the Fund and shall be deposited as soon as practicable in the Fund and shall be disbursed from the Fund according to the terms of this act. Disbursements of up to \$500 from the Fund shall be paid out in checks signed by the Executive Director or designee. Disbursements in excess of \$500 shall be paid out in checks signed by the Executive Director and the Treasurer of the District of Columbia.”.

(3) Subsection (c) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(m) Section 2-2513 (D.C. Official Code § 3-1313) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(n) Section 2-2514 (D.C. Official Code § 3-1314) is amended as follows:

(1) The first sentence is amended by striking the phrase “The Board shall” and inserting the phrase “The Office shall” in its place.

(2) The third and fourth sentences are amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(o) Section 2-2515 (D.C. Official Code § 3-1315) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(p) Section 2-2516 (D.C. Official Code § 3-1316) is amended as follows:

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

(A) Strike the phrase “Board, in its discretion,” and insert the phrase “Chief Financial Officer, in the Chief Financial Officer’s discretion,” in its place.

(B) Strike the phrase “in the name of the Board, to the Credit of the Board, which the Board is authorized to establish, in institutions designated by it which are legal” and

ENROLLED ORIGINAL

insert the phrase “in the name of the Office, to the credit of the Office, which the Chief Financial Officer is authorized to establish, in institutions designated by the Chief Financial Officer that are legal” in its place.

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

(A) Strike the phrase “benefit of the Board” and insert the phrase “benefit of the Office” in its place.

(B) Strike the phrase “transferred to the Board. The Board shall” and insert the phrase “transferred to the Office. The Chief Financial Officer shall” in its place.

(C) Strike the phrase “sales agents. The Board” and insert the phrase “sales agents. The Chief Financial Officer” in its place.

(q) Section 2-2517 (D.C. Official Code § 3-1317) is amended as follows:

(1) Strike the phrase “The Board may authorize” and insert the phrase “The Chief Financial Officer may authorize” in its place.

(2) Strike the phrase “the Board may determine.” and insert the phrase “the Chief Financial Officer may determine.” in its place.

(3) Strike the phrase “accounts of the Board” and insert the phrase “accounts of the Office” in its place.

(4) Strike the phrase “authorized by the Board because” and insert the phrase “authorized by the Chief Financial Officer because” in its place.

(5) Strike the phrase “as the Board may require.” and insert the phrase “as the Chief Financial Officer may require.” in its place.

(r) Section 2-2518 (D.C. Official Code § 3-1318) is amended as follows:

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

(A) The lead-in language is amended by striking the word “Board” and inserting the word “Office” in its place.

(B) Paragraph (5) is amended by striking the word “Board” and inserting the phrase “Chief Financial Officer” in its place.

(2) Subsection (b) is amended by striking the word “Board” and inserting the phrase “Chief Financial Officer” in its place.

(s) Section 2-2519 (D.C. Official Code § 3-1319) is amended by striking the word “Board” and inserting the phrase “Chief Financial Officer” in its place.

(t) Section 2-2520 (D.C. Official Code § 3-1320(a)) is amended as follows:

(1) Strike the phrase “Any member or employee of the Board” and insert the phrase “The Chief Financial Officer, any employee of the Office,” in its place.

(2) Strike the phrase “any member or employee of the Board” and insert the phrase “the Chief Financial Officer or any employee of the Office” in its place.

(u) Section 2-2521 (D. C. Official Code § 3-1321) is amended as follows:

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

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

(A) Strike the phrase “The Board” wherever it appears and insert the phrase “The Chief Financial Officer” in its place.

ENROLLED ORIGINAL

(B) Strike the phrase “paid over to the Board which shall” and insert the phrase “paid over to the District of Columbia Treasurer, who shall” in its place.

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

“(b) Any rule or regulation promulgated by the Board before the transfer of its functions and personnel to the Chief Financial Officer by section 424(a)(3) of the District of Columbia Home Rule Act, approved April 17, 1995 (109 Stat. 142; D.C. Official Code § 1-204.24a(c)), shall continue in effect, except to the extent it is modified or superseded by the Chief Financial Officer, or designee, or made inapplicable by or under other law.”.

(v) Section 2-2522 (D.C. Official Code § 3-1322) is amended by striking the word “Board” and inserting the phrase “Chief Financial Officer” in its place.

(w) Section 2-2522a (D.C. Official Code § 3-1322.01) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(x) Section 2-2523 (D.C. Official Code § 3-1323) is amended as follows:

(1) Subsection (a) is amended by striking the word “Board” and inserting the word “Office” in its place.

(2) Subsection (b) is amended by striking the word “Board” and inserting the word “Office” in its place.

(3) Subsection (b-1) is amended as follows:

(A) Paragraph (1) is amended by striking the word “Board” and inserting the word “Office” in its place.

(B) Paragraphs (2) and (3) are amended by striking the word “Board” both times it appears and inserting the phrase “Chief Financial Officer” in its place.

(4) Subsections (c) and (d) are amended by striking the word “Board” wherever it appears and inserting the word “Office” in its place.

(y) Section 2-2524 (D.C. Official Code § 3-1324) is amended as follows:

(1) Strike the phrase “The Board shall adopt rules” and insert the phrase “The Chief Financial Officer shall adopt rules” in its place.

(2) Strike the phrase “raffles. The Board” and insert the phrase “raffles. The Office” in its place.

(3) Strike the phrase “regulations. The Board” and insert the phrase “regulations. The Office” in its place.

(4) Strike the phrase “paid over to the Board” and insert the phrase “paid over to the Office” in its place.

(5) Strike the phrase “right to a hearing before the Board” and insert the phrase “right to a hearing before the Chief Financial Officer, or designee,” in its place.

(z) Section 2-2525 (D.C. Official Code § 3-1325) is amended as follows:

(1) Strike the phrase “regulations of the Board and to insure” and insert the phrase “regulations of the Chief Financial Officer and to insure” in its place.

(2) Strike the phrase “given to the Board” and insert the phrase “given to the Office” in its place.

ENROLLED ORIGINAL

(3) Strike the phrase “determined by the Board.” and insert the phrase “determined by the Chief Financial Officer.” in its place.

(4) Strike the phrase “pay to the Board” and insert the phrase “pay to the Office” in its place.

(aa) Section 2-2526(a) (D.C. Official Code § 3-1326(a)) is amended as follows:

(1) Strike the phrase “licensed by the Board” both times it appears and insert the phrase “licensed by the Office” in its place.

(2) Strike the phrase “regulations of the Board” and insert the phrase “regulations of the Chief Financial Officer” in its place.

(3) Strike the phrase “prescribed by the Board” and insert the phrase “prescribed by the Office” in its place.

(4) Strike the phrase “directives of the Board” and insert the phrase “directives of the Chief Financial Officer” in its place.

(bb) Section 2-2527 (D.C. Official Code § 3-1327) is amended as follows:

(1) Strike the phrase “set by the Board” and insert the phrase “set by the Chief Financial Officer” in its place.

(2) Strike the phrase “enable the Board” and insert the phrase “enable the Office” in its place.

(cc) Section 2-2528(a) (D.C. Official Code § 3-1328(a)) is amended by striking the phrase “The Board, in its discretion” and inserting the phrase “The Chief Financial Officer, in the Chief Financial Officer’s discretion” in its place.

(dd) Section 2-2529 (D. C. Official Code § 3-1329) is amended by striking the word “Board” and inserting the word “Office” in its place.

(ee) Section 2-2530 (D. C. Official Code § 3-1330) is amended by striking the word “Board” wherever it appears and inserting the word “Office” in its place.

(ff) Section 2-2531 (D.C. Official Code § 3-1331) is amended as follows:

(1) Strike the word “Board” wherever it appears and insert the phrase “Chief Financial Officer” in its place.

(2) Strike the phrase “at which he shall have the right” and insert the phrase “at which the licensee shall have the right” in its place.

(gg) Section 2-2532 (D. C. Official Code § 3-1332) is amended by striking the word “Board” and inserting the word “Office” in its place.

(hh) Section 2-2535 (D.C. Official Code § 3-1335) is amended by striking the word “Board” wherever it appears and inserting the phrase “Chief Financial Officer” in its place.

(ii) Section 2-2536 (D. C. Official Code § 3-1336) is amended as follows:

(1) Subsection (a) is amended by striking the phrase “No Board member, officer, or employee of the Board” and inserting the phrase “Neither the Chief Financial Officer nor any employee of the Office of the Chief Financial Officer or the Office” in its place.

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

(A) Strike the phrase “Office of Contracting and Procurement” and insert the phrase “Office of Contracts of the Office of the Chief Financial Officer” in its place.

ENROLLED ORIGINAL

(B) Strike the phrase “on behalf of the Board” and insert the phrase “on behalf of the Office” in its place.

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

“(d) No contract awarded or entered into by the Office of the Chief Financial Officer may be assigned by the holder thereof except by specific approval of the Chief Financial Officer.”.

(4) Subsection (g) is amended by striking the word “Board” and inserting the phrase “Chief Financial Officer” in its place.

Sec. 7073. Section 2(e)(11) of the Confirmation Act of 1978, effective March 3, 1979 (D.C. Law 2-142; D.C. Official Code § 1-523.01(e)(11)), is repealed.

Sec. 7074. 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 406(b)(14) (D.C. Official Code § 1-604.06(b)(14)) is amended to read as follows:

“(14) For all employees of the Office of Lottery and Charitable Games, including the Executive Director, the personnel authority is the Chief Financial Officer.”.

(b) Section 908(13) (D.C. Official Code § 1-609.08(13)) is repealed.

SUBTITLE G. OIG AUDIT AMENDMENT

Sec. 7081. Short title.

This subtitle may be cited as the “Office of Inspector General Audit Emergency Amendment Act of 2016”.

Sec. 7082. Section (3)(e) of the District of Columbia Emergency Highway Relief Act, approved August 4, 1995 (109 Stat. 257; D.C. Official Code § 9-109.02(e)), is amended by striking the phrase “March 15 thereafter” and inserting the phrase “May 31 thereafter” in its place.

SUBTITLE H. PARKSIDE PARCEL E AND J TAX ABATEMENT

Sec. 7091. Short title.

This subtitle may be cited as the “Parkside Parcel E and J Mixed-Income Apartments Tax Abatement Emergency Amendment Act of 2016”.

Sec. 7092. Chapter 46 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 “47-4658. Parkside Parcel E and J Mixed-Income Apartments; Lot 808, Square 5041 and Lot 811, Square 5056.” and inserting the phrase “47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.” in its place.

ENROLLED ORIGINAL

(b) Section 47-4658 is amended as follows:

(1) The heading is amended to read as follows:

“§ 47-4658. Lot 72, Square 5041 and Lot 811, Square 5056.”

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

“(a) Subject to subsection (b) of this section, the real property described as Lot 72 in Square 5041 and Lot 811 in Square 5056 shall be allowed an annual real property tax abatement equal to the amount of the real property taxes assessed and imposed by Chapter 8 of this title of up to a total maximum amount for each lot of \$300,000 per year for 10 property tax years commencing for Lot 72 and Lot 811 at the beginning of the first month following the date that specific lot is issued a final certificate of occupancy (“commencement date”) and ending for each lot at the end of the 10th full real property tax year following the lot’s commencement date.”

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

“(c) Notwithstanding any other provision of law and provided that the final certificate of occupancy is issued on or before September 20, 2020, upon the issuance of a final certificate for Lot 72 or Lot 811, any fees or deposits charged to and paid by the owner of that specific lot for the development of Lot 72 or Lot 811, including private space or building permit fees or public space permit fees (“related fees”), shall be refunded and any prospective related fees forgiven.

“(d) The tax abatements and the exemptions from fees and deposits provided pursuant to this section shall be in addition to, and not in lieu of, any other tax relief or assistance from any other source applicable to the development of Lot 72 or Lot 811.”

SUBTITLE I. SCHEDULE H CONSUMER PRICE INDEX AMENDMENT

Sec. 7101. Short title.

This subtitle may be cited as the “Schedule H Consumer Price Index Emergency Amendment Act of 2016”.

Sec. 7102. Section 47-1806.06(r) of the District of Columbia Official Code is amended to read as follows:

“(r)(1) “The maximum credit amount of \$1000 shall be adjusted annually for inflation based on the Consumer Price Index (if the adjustment does not result in a multiple of \$25, rounded down to the next multiple of \$25).

“(2) The eligibility income threshold of \$50,000 (\$60,000 for eligible senior claimants) shall be adjusted annually for inflation based on the Consumer Price Index (if the adjustment does not result in a multiple of \$100, rounded down to the next multiple of \$100).

“(3) In the case of a negative annual inflation rate based on the Consumer Price Index, neither the credit amount of \$1000 nor the eligibility income threshold of \$50,000 (\$60,000 for eligible senior claimants) shall be decreased.

“(4) For the purposes of this subsection, the term “Consumer Price Index” means the all items index of the Consumer Price Index for All Urban Consumers for Washington-Baltimore Area, published by the Bureau of Labor Statistics of the United States Department of Labor.”

ENROLLED ORIGINAL

SUBTITLE J. TAX SALE RESOURCE CENTER AND DEED CLARIFICATION

Sec. 7111. Short title.

This subtitle may be cited as the “Tax Sale Resource Center and Deed Clarification Emergency Amendment Act of 2016”.

Sec. 7112. Chapter 13A of Title 47 of the District of Columbia Official Code is amended as follows:

(a) Section 47-1341 is amended as follows:

(1) Subsection (a)(2) is amended by striking the phrase:

“Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.”.

(2) Subsection (b-1)(2) is amended by striking the phrase:

“Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave. NW.”.

(b) Section 47-1353.01(b) is amended by striking the phrase:

“Tax Sale Resource Center. Resource Center attorneys provide legal information to taxpayers and interested parties who do not have their own lawyers on Wednesday mornings from 10:00am to 12:00pm when court is in session. The Resource Center is located in the Moultrie Courthouse at 500 Indiana Ave., NW.”.

(c) Section 47-1382(b) is amended to read as follows:

“(b) Notwithstanding subsection (a)(1) of this section, upon issuance of a tax deed concerning a real property sold under § 47-1353(a)(3) or (b), the real property shall be free and clear of all prior taxes and liabilities owed by the real property to a taxing agency. The purchaser shall not be required to pay such prior taxes and liabilities to receive the tax deed.”.

SUBTITLE K. TAX REVISION COMMISSION IMPLEMENTATION

Sec. 7121. Short title.

This subtitle may be cited as the “Tax Revision Implementation Emergency Amendment Act of 2016”.

Sec. 7122. Section 47-181(b) of the District of Columbia Official Code is amended as follows:

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

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

“(2) If local Fiscal Year 2017 recurring annual revenues included in the quarterly revenue estimate issued in September 2016 exceed the annual revenue estimate incorporated in the approved budget and financial plan for Fiscal Year 2017, the additional revenue shall be used

ENROLLED ORIGINAL

to continue implementation of the TRC Act according to the priority set forth in subsection (c) of this section for taxable years beginning or deaths occurring, as applicable, after December 31, 2016; provided, that the Chief Financial Officer shall recalculate the cost of the provisions of the TRC Act with the September 2016 estimate.”.

Sec. 7123. Applicability.

This subtitle shall apply as of the effective date of this act.

SUBTITLE L. LIHTC PILOT PROGRAM AMENDMENT

Sec. 7131. Short title.

This subtitle may be cited as the “LIHTC Pilot Program Initiation Emergency Amendment Act of 2016”.

Sec. 7132. Section 47-4802(a)(2) of the District of Columbia Official Code is amended by striking the phrase “tax year 2016” and inserting the phrase “tax year 2017” in its place.

SUBTITLE M. FISCAL STABILIZATION RESERVE AMENDMENT

Sec. 7141. Short title.

This subtitle may be cited as the “Fiscal Stabilization Reserve Emergency Amendment Act of 2016”.

Sec. 7142. Section 47-392.02(j-1) of the District of Columbia Official Code is amended as follows:

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

(1) Subparagraph (A) is amended by striking the phrase “act; and” and inserting the phrase “act;” in its place.

(2) Subparagraph (B) is amended by striking the period and inserting the phrase “; and” in its place.

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

“(C) Funding for the appropriations advance to District of Columbia Public Schools and District of Columbia Public Charter Schools as authorized by the annual budget and financial plan; provided, that any amounts used must be replenished immediately upon the approval of the District’s annual budget for that year.”.

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

“(2A) The Fiscal Stabilization Reserve Account may be used by the Chief Financial Officer to cover cash flow needs; provided, that any amounts used shall be replenished to the Fiscal Stabilization Reserve Account in the same fiscal year.”.

SUBTITLE N. SPECIAL BUDGET PROVISION REFORM

Sec. 7151. Short title.

This subtitle may be cited as the “Special Budget Provision Reform Emergency Act of

ENROLLED ORIGINAL

2016”.

Sec. 7152. Chapter 3 of Title 47 of the District of Columbia Official Code is amended as follows:

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

(1) Strike the phrase “47-368.01. Transfer of dedicated funds to the General Fund.” and insert the phrase “47-368.01. Transfer of dedicated funds to the General Fund. [Repealed].” in its place.

(2) Strike the phrase “47-368.02. Increase in funds and fees and charges.” and insert the phrase “47-368.02. Increase in funds and fees and charges. [Repealed].” in its place.

(3) Strike the phrase “47-368.03. Reduction in rates for certain excise taxes.” and insert the phrase “47-368.03. Reduction in rates for certain excise taxes. [Repealed].” in its place.

(b) Section 47-368.01 is repealed.

(c) Section 47-368.02 is repealed.

(d) Section 47-368.03 is repealed.

SUBTITLE O. VAULT TAX EXPANSION

Sec. 7161. Short title.

This subtitle may be cited as the “Vault Tax Expansion Emergency Amendment Act of 2016”.

Sec. 7162. Section 305(d) of the District of Columbia Public Space Rental Act, approved October 17, 1968 (82 Stat. 1159; D.C. Official Code § 10-1103.04(d)), is amended by adding a new paragraph (4) to read as follows:

“(4) Any vault serving, in whole or in part, real property located at Square 287, Lot 812 shall be exempt from vault rent.”.

SUBTITLE P. WALKER JONES REAL PROPERTY TAX ABATEMENT

Sec. 7171. Short title.

This subtitle may be cited as the “Walker Jones/Northwest One Unity Health Center Tax Abatement Emergency Amendment Act of 2016”.

Sec. 7172. Section 47-4619(b) of the District of Columbia Official Code is amended by striking the phrase “October 1, 2009 to September 30, 2013” and inserting the phrase “October 1, 2016, to September 30, 2021” in its place.

Sec. 7173. Section 3 of the Walker Jones/Northwest One Unity Health Center Tax Abatement Act of 2008, effective March 25, 2009 (D.C. Law 17-351; 56 DCR 1113), is repealed.

ENROLLED ORIGINAL

**SUBTITLE Q. JUBILEE ONTARIO APARTMENTS REAL PROPERTY TAX
ABATEMENT**

Sec. 7181. Short title.

This subtitle may be cited as the “Jubilee Ontario Apartments Real Property Tax Abatement Emergency Amendment Act of 2016”.

Sec. 7182. Chapter 10 of Title 47 of the District of Columbia Official Code is amended as follows:

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

“47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.”.

(b) A new section 47-1098 is added to read as follows:

“§ 47-1098. Jubilee Ontario Apartments, LP, Lot 805, Square 2565.

“The portion of Lot 805 in Square 2565, located at 2525 Ontario Road, N.W. (“Property”) that is used for nonresidential purposes, shall be exempt from real property taxation so long as the residential portion of the Property continues to be exempt from real property taxation pursuant to § 47-1005.02.”.

Sec. 7183. The Council of the District of Columbia orders that all real property taxes, interest, penalties, fees, and other related charges assessed against the real property located at 2525 Ontario Road, N.W., described as Lot 805, Square 2565, for the period beginning March 27, 2015, through November 31, 2016, and recordation tax, interest, or penalties assessed or collected on Document number 2015028485, recorded March 27, 2015, shall be forgiven and that any payments made shall be refunded to the person who made the payments.

Sec. 7184. Applicability.

This subtitle shall apply as of the effective date of this act.

TITLE VIII. CAPITAL BUDGET**SUBTITLE A. FY 2017 CAPITAL PROJECT FINANCING REALLOCATION
APPROVAL**

Sec. 8001. Short title.

This subtitle may be cited as the "Fiscal Year 2017 Capital Project Reallocation Approval Emergency Act of 2016".

Sec. 8002. (a) Pursuant to and in accordance with Chapter 3 of Title 47 of the District of Columbia Official Code, the Council approves the Mayor's request to reallocate \$180,809,546 in general obligation bond proceeds from the District capital projects listed in Table A to the District capital projects listed in Table B, in the amounts specified.

ENROLLED ORIGINAL

(b) The current allocations were made pursuant to the Fiscal Year 2010 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Emergency Approval Act of 2009, effective December 4, 2009 (D.C. Act 18-240; 56 DCR 9265), the Fiscal Year 2012 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2011, effective December 6, 2011 (Res. 19-315; 58 DCR 10556), the Fiscal Year 2013 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2012, effective October 16, 2012 (Res.19-635; 59 DCR 12818), the Fiscal Year 2014 Income Tax Secured Revenue Bond and General Obligation Approval Resolution of 2013, effective November 5, 2013 (Res. 20-321; 60 DCR 15794), and the Fiscal Year 2015 Income Tax Secured Revenue Bond and General Obligation Bond Issuance Approval Resolution of 2014, effective November 28, 2014 (Res. 20-687; 61 DCR 12738).

Owner Agency Name+A4:E20	Project Number	Implementing Agency	Bond Issuance Series	Amount
Office of the Chief Financial Officer	BF2	OCFO	2010A	140,465
Department of General Services	BC1	DGS	2012C I.T.	113,644
Department of Parks and Recreation	BSM	DGS	2012C I.T.	3,124,785
Department of Parks and Recreation	QH7	DPR	2012C I.T.	393,520
Department of Parks and Recreation	QJ8	DGS	2012C I.T.	529,131
Department of Parks and Recreation	QN4	DGS	2012C I.T.	334,244
District Department of Transportation	ED1	DDOT	2012C I.T.	599,509
District Department of Transportation	EDS	DDOT	2012C I.T.	292,359
District Department of Transportation	STC	DDOT	2012C I.T.	43,409
District of Columbia Public Schools	MO3	DGS	2012C I.T.	1,565,607
District of Columbia Public Schools	ND4	DGS	2012C I.T.	11,664
District of Columbia Public Schools	NJ8	DGS	2012C I.T.	11,442
District of Columbia Public Schools	PE3	DGS	2012C I.T.	39,641
Fire and Emergency Management Services	LB7	FEMS	2012C I.T.	2,268,528
Metropolitan Police Department	ECS	MPD	2012C I.T.	300,000
Office of the Chief Technology Officer	N60	OCTO	2012C I.T.	481,728
Department of Behavioral Health	XA6	OCTO	2013A G.O.	81,575
Department of Behavioral Health	XA8	DBH	2013A G.O.	150,119
Department of Corrections	CRF	DOC	2013A G.O.	508,089
Department of Healthcare Finance	MPM	DHCF	2013A G.O.	1,330,140

ENROLLED ORIGINAL

Department of Parks and Recreation	QE5	DGS	2013A G.O.	75,757
Department of Parks and Recreation	QJ8	DGS	2013A G.O.	351,837
Department of Parks and Recreation	RE0	DGS	2013A G.O.	1,265
Department of Public Works	FS1	DPW	2013A G.O.	76,846
Deputy Mayor for Planning and Economic Development	AWR	DMPED	2013A G.O.	1,546,808
District Department of Employment Services	UIM	DOES	2013A G.O.	2,354,064
District Department of Transportation	BRI	DDOT	2013A G.O.	1,678,669
District Department of Transportation	ED1	DDOT	2013A G.O.	500,000
District Department of Transportation	FLD	DDOT	2013A G.O.	39,030
District Department of Transportation	PM0	DDOT	2013A G.O.	150,941
District of Columbia Public Schools	PK3	DGS	2013A G.O.	538,150
Fire and Emergency Management Services	LD2	DGS	2013A G.O.	34,362
Office of the Chief Technology Officer	EQ1	OCTO	2013A G.O.	83,199
Office of the Chief Technology Officer	N60	OCTO	2013A G.O.	140,419
D.C. Public Library	WOD	DCPL	2013A GO	791,863
Office of the Secretary	AB1	DGS	2013A GO	784,215
Department of General Services	BC1	DGS	2014 A/B GO	25,054
D.C. Public Library	WOD	DCPL	2014C G.O.	2,300,000
Department of Corrections	CEV	DOC	2014C G.O.	1,566,292
Department of Corrections	CRF	DOC	2014C G.O.	1,500,000
Department of General Services	BC1	DGS	2014C G.O.	950,000
Department of Parks and Recreation	QS5	DGS	2014C G.O.	3,927,608
Deputy Mayor for Planning and Economic Development	EB0	DMPED	2014C G.O.	9,000,000
District Department of Employment Services	UIM	DOES	2014C G.O.	2,500,000
District Department of Transportation	6EQ	DDOT	2014C G.O.	3,526,564
District Department of Transportation	BRI	DDOT	2014C G.O.	8,000,000
District Department of Transportation	FLD	DDOT	2014C G.O.	1,469,644
Office of the Secretary	AB1	DGS	2014C G.O.	2,500,000
Office of the Chief Financial Officer	BF2	OCFO	2015A G.O.	429,148
D.C. Public Library	CAV	DCPL	Pending	4,500,000
D.C. Public Library	CPL	DCPL	Pending	4,125,000
D.C. Public Library	PAL	DCPL	Pending	5,700,000
Department of Corrections	CEV	DGS	Pending	33,708

ENROLLED ORIGINAL

Department of Healthcare Finance	H11	DHCF	Pending	3,145,040
Department of Healthcare Finance	MPM	DHCF	Pending	2,300,000
Department of Parks and Recreation	FTD	DGS	Pending	2,000,000
Department of Parks and Recreation	IVY	DGS	Pending	1,925,000
Department of Parks and Recreation	Q10	DGS	Pending	1,000,000
Department of Parks and Recreation	Q11	DGS	Pending	1,500,000
Department of Parks and Recreation	QF4	DGS	Pending	1,400,000
Department of Parks and Recreation	WBR	DGS	Pending	14,000,000
Deputy Mayor for Planning and Economic Development	STH	DMPED	Pending	1,000,000
District Department of Employment Services	UIM	DOES	Pending	2,500,000
District Department of Transportation	AW0	DDOT	Pending	40,000,000
District Department of Transportation	CDT	DDOT	Pending	10,340
District Department of Transportation	PLU	DDOT	Pending	4,000,000
District Department of Transportation	TRF	DDOT	Pending	1,500,000
District of Columbia Public Schools	JOH	DGS	Pending	2,886,000
District of Columbia Public Schools	NX8	DGS	Pending	3,000,000
District of Columbia Public Schools	SG3	DGS	Pending	7,738,513
Fire and Emergency Management Services	LC4	DGS	Pending	3,000,000
Fire and Emergency Management Services	LC4	DGS	Pending	2,000,000
Metropolitan Police Department	PEQ	MPD	Pending	2,000,000
Office of the Chief Technology Officer	N90	OCTO	Pending	3,000,000
Office of the Chief Technology Officer	N91	OCTO	Pending	1,500,000
Office of the Chief Technology Officer	N92	OCTO	Pending	445,022
Special Education Transportation	BU4	SET	Pending	2,740,000
Special Education Transportation	BU5	SET	Pending	1,000,000
State Superintendent of Education	SIS	OSSE	Pending	1,800,000
TOTAL				\$180,909,957

TABLE B.

Owner Agency Name	Project Number	Implementing Agency	Bond Issuance Series	Amount
District of Columbia Public Schools	BRK	DGS	N/A	8,200,000
District of Columbia Public Schools	GM1	DGS	N/A	6,200,411

ENROLLED ORIGINAL

District of Columbia Public Schools	GM3	DGS	N/A	5,000,000
District of Columbia Public Schools	NA6	DGS	N/A	20,100,000
District of Columbia Public Schools	NR9	DGS	N/A	15,500,000
State Superintendent of Education	SFF	OSSE	N/A	2,000,000
Deputy Mayor for Economic Development	AMS	DMPED	N/A	1,467,000
WMATA	SA5	DDOT	N/A	693,923
Fire and Emergency Management Services	LF2	DGS	Pending	2,275,000
Department of Parks and Recreation	WBR	DGS	Pending	14,000,000
Department of Parks and Recreation	QE2	DGS	Pending	9,730,000
Department of Parks and Recreation	QN7	DPR	Pending	19,000,000
Department of Human Services	CMS	DHS	Pending	14,000,000
District Department of Transportation	CEL	DDOT	Pending	3,000,000
WMATA	SA3	DDOT	Pending	20,000,000
WMATA	SA5	DDOT	Pending	39,743,623
TOTAL				\$180,909,957

Sec. 8003. Applicability.

This subtitle shall apply as of the effective date of this act.

**SUBTITLE B. CAPITAL PROJECT REVIEW AND RECONCILIATION
AMENDMENT**

Sec. 8011. Short title

This subtitle may be cited as the “Capital Project Review and Reconciliation Emergency Amendment Act of 2016”.

Sec. 8012. Section 1266 of the Capital Project Support Fund Establishment Act of 2009, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 1-325.156), is amended by adding a new subsection (c) to read as follows:

“(c) This section shall not apply to surplus capital funds backed by Master Lease financing (fund detail 0302).”.

Sec. 8013. Applicability.

This subtitle shall apply as of the effective date of this act.

ENROLLED ORIGINAL

TITLE IX. SPECIAL PURPOSE AND DEDICATED REVENUE FUND AMENDMENTS AND TRANSFERS**SUBTITLE A. FIXED COST COMMODITIES RESERVE AMENDMENT**

Sec. 9001. Short title.

This subtitle may be cited as the “Fixed Cost Commodities Reserve Emergency Amendment Act of 2016”.

Sec. 9002. Section 47-368.04 of the District of Columbia Official Code is amended as follows:

(a) Subsection (b) is amended by striking the phrase “and rent” and inserting the phrase “and rent; provided, that the amount in the Fund shall not exceed \$5 million in any fiscal year” in its place.

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

“(c) Amounts in the Fund shall be used only for the purposes in subsection (b) of this section and shall not be available for other purposes or be transferred to other funds or accounts.”.

Sec. 9003. (a) Notwithstanding section 47-368.04 of the District of Columbia Official Code, or any other law restricting the use of the funds in the Commodities Cost Reserve Fund, the Chief Financial Officer shall transfer from the Commodities Cost Reserve Fund in Fiscal Year 2016 and recognize as Fiscal Year 2017 local funds resources \$19,477,173.

(b) This section shall apply as of the effective date of this act.

TITLE X. APPLICABILITY; FISCAL IMPACT; EFFECTIVE DATE

Sec. 10001. Applicability.

Except as otherwise provided, this act shall apply as of October 1, 2016.

Sec. 10002. Fiscal impact statement.


The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 4a of the General Legislative Procedures Act of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

Sec. 10003. Effective date.


This act shall take effect following approval by the Mayor (or in the event of veto by the Mayor, action by the Council to override the veto), and shall remain in effect no longer than 90 days, as provided for emergency acts of the Council of the District of Columbia in section 412(a)

ENROLLED ORIGINAL

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



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED
July 20, 2016

ENROLLED ORIGINAL

A RESOLUTION

21-551

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend Chapter 7 of Title 25 of the District of Columbia Official Code to clarify the penalties for sale to minors violations and the failure to ascertain the legal drinking age violations.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale to Minors Penalty Clarification Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) The current language in D.C. Official Code §§ 25-781(f) and 25-783(c) needed to be amended to eliminate existing confusion among licensed establishments cited for selling alcoholic beverages to a minor or for failing to check identification to clarify how the Alcoholic Beverage Control Board determines the penalties for subsequent sale to a minor and the failure to check identification violations.

(b) The Council enacted the Sale to Minors Penalty Clarification Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-398; 63 DCR 7912) ("emergency legislation") and the Sale to Minors Penalty Clarification Temporary Amendment Act of 2016, enacted on June 29, 2016 (D.C. Act 21-432; 63 DCR 9284) ("temporary legislation"), to clarify the law for licensed establishments and to avoid any adverse impact on the Alcoholic Beverage Control Board when it imposes a penalty on an establishment that has violated the law which remedied the above-referenced issues.

(c) The emergency legislation expires on August 17, 2016 and the temporary legislation must complete the 30-day review period required by section 602(c)(1) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and will not become law until after the emergency legislation has expired.

(d) It is important that the provisions of the emergency legislation continue in effect, without interruption, until the temporary legislation is in effect.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale to Minors Penalty Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-552

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend section 47-2844 of the District of Columbia Official Code to enable the Mayor to suspend or revoke the business license of any business engaged in the buying or selling of a synthetic drug and to enable the Chief of Police to seal a business licensee's premises for up to 96 hours for the buying or selling of a synthetic drug; and to amend the Department of Consumer and Regulatory Affairs Civil Infractions Act of 1985 to designate the sale of a synthetic drug as a per se imminent danger to the health or safety of District residents and provide for an administrative hearing after the sealing of a business licensee's premises.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Sale of Synthetic Drugs Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) This bill is necessary to prevent a gap in the law as the temporary legislation, the Sale of Synthetic Drugs Temporary Amendment Act of 2016, enacted on June 30, 2016 (D.C. Act 21-444; 63 DCR 9314), is pending congressional review.

(b) Emergency legislation, the Sale of Synthetic Drugs Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-400; 63 DCR 7916), will expire on August 17, 2016.

(c) The temporary legislation will not become law until after the expiration of the emergency legislation; therefore, a congressional review emergency is needed to prevent a gap in the law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Sale of Synthetic Drugs Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-553

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency, due to Congressional review, with respect to the need to amend An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes to clarify agency responsibilities with regard to school attendance, to deem an absence of a minor student from a public school unexcused where the school does not obtain an explanation for the absence from the student's parent or guardian verifying the reason for an absence within 5 days after a student's return to school, to prohibit the suspension, expulsion, or unenrollment of a minor from a public school due to an unexcused absence or due to a late arrival to school, to clarify attendance reporting requirements for public, independent, private, and parochial schools, to revise the protocol for a law enforcement officer who comes in contact with a minor and has reasonable grounds to believe the minor is truant, to revise the educational institution referral requirement for the Child and Family Services Administration, the Court Social Services Division of the Superior Court of the District of Columbia, and the Office of the Attorney General Juvenile Section to only include unexcused full school day absences with regard to attendance, to provide educational institutions with discretion on referrals if a student's 10th or 15th unexcused absence is accrued within the final 10 school days of the school year, and to require the State Superintendent of Education to provide written notice to each public, independent, private, or parochial school outlining the attendance and reporting requirements by July 1 of each year; to amend the District of Columbia School Reform Act of 1995 to conform it to the prohibitions against expulsion and suspension provided in An Act To provide for compulsory school attendance, for the taking of a school census in the District of Columbia, and for other purposes and the Pre-k Enhancement and Expansion Amendment Act of 2008; and to amend Chapter 21 of Subtitle A of Title 5 of the District of Columbia Municipal Regulations to repeal the requirement that a public school notify the Metropolitan Police Department after each occurrence of a student's 10th unexcused absence, to require that an educational institution obtain an explanation for a student's absence within 5 days of the student's return to school, and to amend the terms "truancy rate" and "chronic absenteeism."

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "School Attendance Clarification Congressional Review Emergency Declaration Resolution of 2016".

ENROLLED ORIGINAL

Sec. 2. (a) Over the past 5 years, the Council of the District of Columbia has passed 3 laws with the goal of reducing chronic truancy: D.C. Law 18-242, the Safe Children and Safe Neighborhoods Educational Neglect Mandatory Reporting Amendment Act of 2010; D.C. Law 19-141, the South Capitol Street Memorial Amendment Act of 2012; and D.C. Law 20-17, the Attendance Accountability Amendment Act of 2013.

(b) Schools have implemented the various mandates from the 3 different bills over the past 2 years and have worked diligently to reduce the truancy epidemic in the District. Such efforts have started to result in an annual reduction in truancy in both public education sectors and has shed light on additional areas that need to be addressed in order to continue in a positive trend.

(c) To address the issues that have been raised through implementation of the 3 laws referenced in subsection (a) of this section, Chairman Mendelson and Councilmember Grosso introduced Bill 21-508, the School Attendance Clarification Amendment Act of 2015 on December 1, 2015. The various items in Bill 21-508 have been identified through the work of the Truancy Taskforce's policy committee. In some cases, the changes in Bill 21-508 reflect the actual practice occurring in the District, and in other cases the changes allow schools and the various District agencies (e.g. the Child and Family Services Administration, Office of the Attorney General, and the Court Social Services Division) to target resources to those students who need them most as the District continues to identify ways to combat not just truancy but chronic absenteeism.

(d) On January 21, 2016, the Committee of the Whole and the Committee on Education held a joint public hearing on Bill 21-508, and on February 24, 2016, the Committee on Education marked up Bill 21-508. As the bill is a product of collaboration and extensive feedback from the District of Columbia Public Schools, the public charter school sector, the private school sector, and the various District agencies involved with combating truancy in the District, the Committee of the Whole print, which was marked up on April 19, 2016, was virtually identical to the version marked up by the Committee on Education.

(e) On May 3, 2016, Bill 21-508 was adopted unanimously by the Council on final reading and the bill was signed by the Mayor on June 1, 2016 (D.C. Act 21-411; 63 DCR 8207). The bill was transmitted on Congress on June 13, 2016, and is projected to become law on September 15, 2016.

(f) The Council anticipated that Bill 21-508 would not become law until after the start of school year 2016-2017, making it difficult for schools to make the necessary changes to their attendance systems, student handbooks, and attendance policies to comply with the law. Therefore, on May 3, 2016, the Council passed the School Attendance Clarification Emergency Amendment Act of 2016, effective May 3, 2016, (D.C. Act 21-410; 63 DCR 8202), to provide schools with ample notice and implementation time. The emergency legislation mirrors verbatim the language in the permanent version. The emergency legislation expires on August 30, 2016, 16 days before the permanent bill is projected to become law.

(g) A congressional review emergency is needed to prevent a gap in the law. Many schools in the District begin classes in early August and thus will already be implementing the new requirements of Bill 21-508, when the emergency measure expires.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the School Attendance Clarification Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-554

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency, due to congressional review, with respect to the need to amend the Legalization of Marijuana for Medical Treatment Initiative of 1999 to allow a holder of a cultivation center registration that owns or has a valid lease for the real property adjacent to its existing cultivation center to expand its facility into that adjacent real property for purposes of increasing production of marijuana plants not to exceed the authorized limit, and to increase the number of living plants a cultivation center may possess at any time to 1000.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Declaration Resolution of 2016".

Sec. 2. (a) Enactment of the Medical Marijuana Cultivation Center Expansion Emergency Amendment Act of 2016, effective May 19, 2016 (D.C. Act 21-396; 63 DCR 7908) ("Emergency Act"), enables the District to increase the number of live marijuana plants to assuage the demand for medical marijuana in medical marijuana distribution centers.

(b) The District is currently experiencing higher demand for medical marijuana than there is capacity to produce.

(c) The Emergency Act enables existing cultivation centers to expand the size of their facilities when they have leaseholds for adjacent real property.

(d) The Emergency Act also authorizes the possession of up to a maximum of 1000 live marijuana plants for all cultivation centers.

(e) New congressional review emergency legislation is necessary to prevent a gap in the law between the expiration of the Emergency Act, which expires on August 17, 2016, and the effectiveness of temporary legislation, the Medical Marijuana Cultivation Center Expansion Temporary Amendment Act of 2016, enacted on June 29, 2016 (D.C. Act 21-431; 63 DCR 9282), which has yet to become law.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Medical Marijuana Cultivation Center Expansion Congressional Review Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-573

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to amend the Rental Housing Act of 1985 to limit the amount of a hardship petition conditional rent increase to 5% of the rent charged, and to require that a rent adjustment be repaid by a housing provider to a tenant within 21 days of a conditional increase being amended.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Rent Control Hardship Petition Limitation Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The District’s rent control regime is established by the Rental Housing Act of 1985; approximately 79,000 housing units are subject to the law, accounting for 66% of the rental housing stock in the District.

(b) For units subject to rent control, annual rent increases are limited to a maximum of 10% for most tenants and 5% for seniors and individuals with disabilities. However, under the hardship petition process, a housing provider can apply to the Rent Administrator at the Department of Housing and Community Development to raise rents by more than the standard increase in order to achieve a 12% rate of return on the housing provider’s investment in the building. The hardship petition requires the housing provider to submit a schedule of income and expenses, which the Rent Administrator can use to calculate a new rent based on the 12% rate of return.

(c) If a hardship petition is not decided within 90 days, the housing provider may automatically start collecting the entire rent for which the housing provider originally applied. As hardship petitions are rarely decided within the 90-day time period, conditional increases are frequently granted that result in rent increases of 50% to 100%.

(d) These rent increases place a significant burden on low-income renters, increasing the likelihood of displacement and homelessness. For example, tenants of a building in Ward 7 were charged a 34% increase and were threatened with eviction if they did not pay the rent increase. Tenants were forced to file a lawsuit challenging the increase based on numerous housing code violations, and the dispute was prolonged for more than 4 years. During this time the higher rents were required to be paid into a court-mandated escrow account.

(e) Although a conditional increase may ultimately be reversed, it is often too late for tenants who have been displaced by rent increases that housing providers were ultimately not authorized to charge. More than 88 hardship petitions were filed between 2007 and 2013, significantly raising the rent on thousands of District residents.

(f) Without swift action by the Council to counter opportunities for abuse of the hardship

ENROLLED ORIGINAL

petition process, additional tenants will likely be priced out of their homes.

(g) This legislation would extend the authority of the Rent Control Hardship Petition Limitation Temporary Amendment Act of 2015, effective January 9, 2016 (D.C. Law 21-49; 62 DCR 13990), which will expire on August 21, 2016. D.C. Law 21-49 is identical to legislation moved in Council Period 20 by then Councilmember Bowser.

(h) On March 17, 2015, permanent legislation, the Rent Control Hardship Petition Limitation Amendment Act of 2015 (Bill 21-146), was introduced by Councilmember Bonds along with Councilmembers Silverman, Nadeau, and Cheh. The bill was referred to the Committee on Housing and Community Development and a hearing on the bill was held on May 26, 2015.

(i) After a wait of 4 months, the Committee on Housing and Community Development received from the Department of Housing and Community Development data on the past 5 years of hardship petitions, upon which informed policy decisions may be made in support of the permanent version of this bill. The data will be analyzed over the summer, which will allow the committee to mark-up the permanent version of this legislation in the fall.

(j) It is necessary to move this emergency legislation so there will not be a gap in the law until the legislative process is completed for Bill 21-146.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Rent Control Hardship Petition Limitation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-576

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to clarify and improve the laws prohibiting wage theft and the enforcement of those laws.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Wage Theft Prevention Correction and Clarification Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There existed a need to amend the amendments made by the Wage Theft Prevention Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-157; 61 DCR 10157), to clarify when certain provisions shall take effect, clarify who may bring an action on behalf of an employee, amend criminal penalties, clarify when amounts in the Wage Theft Prevention Fund may be spent, authorize the Mayor to issue rules, and clarify how the Mayor shall make certain information available to manufacturers.

(b) In late 2015, the Council enacted the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2015, effective October 27, 2015 (D.C. Act 21-188; 62 DCR 13764), and the Wage Theft Prevention Correction and Clarification Temporary Amendment Act of 2015, effective January 30, 2016 (D.C. Law 21-57; 62 DCR 15602) (“temporary legislation”), which addressed the above-referenced issues.

(c) The temporary legislation expires on September 11, 2016.

(d) It is important that the provisions of the temporary legislation continue in effect, without interruption, until permanent legislation is in effect.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Wage Theft Prevention Correction and Clarification Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-577

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to confirm the reappointment of Mr. Donald Soifer to the Public Charter School Board.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Public Charter School Board Donald Soifer Confirmation Emergency Declaration Resolution of 2016”.

Sec. 2. (a) Section 2214 of the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1802.14) (“School Reform Act”), established the Public Charter School Board (“PCSB”) as a 7-member board with the purposes of authorizing new school charters, monitoring the success of charter schools under its jurisdiction, and ensuring that the public charter schools under its authority are in compliance with the terms of their charters and applicable laws. The PCSB is currently the District’s only charter school authorizing authority and oversees 114 schools on 62 campuses.

(b) On May 4, 2016, Chairman Mendelson introduced, at the request of the Mayor, PR21-722, the Public Charter School Board Donald Soifer Confirmation Resolution of 2016, to confirm Donald Soifer to the PCSB for a 4-year term, ending February 24, 2020.

(c) The Committee on Education held a public roundtable on PR21-722 on June 9, 2016.

(d) Section 2214(a)(5)(B) of the School Reform Act provides that members of the PCSB shall be eligible to be reappointed for one 4-year term beyond their initial term of appointment.

(e) Mr. Soifer has served as a PCSB member since December 2008. His first term ran from December 8, 2008, to February 24, 2012, and the Council reappointed him for a second term, which ran from February 24, 2012, to February 24, 2016. Therefore, Mr. Soifer’s reappointment to a third term requires the Council to confirm his nomination notwithstanding the term limits imposed by section 2214(a)(5)(B) of the School Reform Act.

(f) It is the opinion of the Committee on Education, the Mayor’s Office of Legal Counsel, the Deputy Mayor for Education, and the Public Charter School Board that Mr. Soifer is a dedicated and highly qualified member of the PCSB. He has not missed a regularly scheduled board meeting in his 8 years of service and remains heavily engaged with charter applicants and authorized schools. His nomination has support from both the public and government entities.

ENROLLED ORIGINAL

Therefore, the Committee on Education recommends that Mr. Soifer be confirmed to serve for a third and final term.

(g) Mr. Soifer's appointment requires emergency action to allow for the necessary quorum for the PCSB meetings that provide for the governance and oversight of all authorized public charter schools. When PCSB members are in hold-over status, there is less legitimacy to their role on the board. Mr. Soifer's term expired on February 24, 2016, and he has since been serving in a hold-over status. The Committee on Education believes that prior to Council recess it is imperative to move this nomination on an emergency basis.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Charter School Board Donald Soifer Confirmation Emergency Act of 2016 be approved after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-579

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to approve an agreement to enter into a long-term subsidy contract for 15 years in support of the District's Local Rent Supplement Program to fund housing costs associated with affordable housing units for Contract No. 2013-LRSP-04A with Beacon Center Housing, LLC, for Local Rent Supplement Program units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W., and to authorize payment for housing services to be received under the contract.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Declaration Resolution of 2016".

Sec. 2. (a) In 2007, the District passed Title II of the Fiscal Year 2007 Budget Support Act of 2006 ("BSA") to provide funding for affordable housing for extremely low-income households in the District. The passage of the BSA created the Local Rent Supplement Program ("LRSP"), a program designed to provide affordable housing and supportive services to extremely low-income District residents, including those who are homeless or in need of supportive services, such as elderly individuals or those with disabilities, through project-based, tenant-based, and sponsored-based LRSP affordable housing units. The BSA provided for the District of Columbia Housing Authority ("DCHA") to administer the LRSP on behalf of the District.

(b) In April 2013, DCHA participated in a Request for Proposals issued by the District of Columbia Department of Housing and Community Development ("DHCD"). Of the total proposals received, 18 developers were chosen to work with DCHA and other District agencies to develop affordable housing and permanent supportive housing units for extremely low-income families making between 0% and 30% of the area's median income, as well as the chronically homeless and individuals with mental or physical disabilities throughout the District. Upon approval of the contract by the Council, DCHA will enter into an agreement to enter into a long-term subsidy contract ("ALTSC") with the selected housing providers under the LRSP for housing services provided under the contract.

ENROLLED ORIGINAL

(c) There exists an immediate need to approve the ALTSC with Beacon Center Housing, LLC, under the District of Columbia Housing Authority’s Local Rent Supplement Program in order to provide long-term affordable housing units for extremely low-income households in the District for units at The Beacon Center, located at 6100 and 6104 Georgia Avenue, N.W.

(d) The emergency legislation to approve the contract will authorize an ALTSC between the District of Columbia Housing Authority and Beacon Center Housing, LLC, with respect to the payment of rental subsidy, and allow the owner to lease the rehabilitated units at The Beacon Center and house District of Columbia extremely low-income households with incomes at 30% or less of the area median income.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Local Rent Supplement Program Contract No. 2013-LRSP-04A Approval and Payment Authorization Emergency Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-580

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to amend section 3209 of Title 17 of the District of Columbia Municipal Regulations to create an exemption to the requirement that an individual engaged in the practice of interior design be licensed for individuals participating in certain charitable fundraising events.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Interior Design Charitable Event Regulation Emergency Declaration Resolution of 2016”.

Sec. 2. (a) In May 2008, the Department of Consumer and Regulatory Affairs (“DCRA”) published a regulation, defining the “practice of interior design” as “providing or offering to provide consultations, preliminary studies, drawings, specifications, or any related service for the design analysis, programming, space planning, or aesthetic planning of the interior of buildings, using specialized knowledge of interior construction, building systems and components, building codes, fire and safety codes, equipment, materials, and furnishings, in a manner that will protect and enhance the health, safety, and welfare of the public whether one or all of these services are performed either in person or as the directing head of an organization.”

(b) The result of this regulation is that it is considered unlawful for any person who is not licensed as an interior designer to engage in the practice of interior design, regardless of whether the individual is volunteering his or her services at a charitable fundraising event.

(c) DC Design House, Inc. is a nonprofit organization that, since 2008, has organized a design show house fundraising event in the District for the sole benefit of Children’s National Health System, raising roughly \$1.5 million for the hospital over 8 years.

(d) DC Design House, Inc. has recently become aware that the interior designers who volunteer at the annual fundraising event may be violating DCRA’s regulations, and therefore the organization may not be able to find enough volunteers to hold this year’s fundraising event, which is currently planned for October 2016.

(e) It is necessary to pass this emergency exemption to the requirement that an individual engaged in the practice of interior design be licensed so that DC Design House, Inc. is able to find enough volunteers to hold its charitable event this year.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Interior Design Charitable Event Regulation Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ENROLLED ORIGINAL

A RESOLUTION

21-582

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

July 12, 2016

To declare the existence of an emergency with respect to the need to approve the First Amendment to the Capital Funding Agreement between the Washington Metropolitan Area Transit Authority, the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia to provide additional capital funding for a one-year extension to a capital improvement program for the Washington Metropolitan Area Transit Authority transit system, from July 1, 2016 to June 30, 2017

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Approval Emergency Declaration Resolution of 2016”.

Sec. 2. (a) There exists an immediate need to approve the First Amendment to the Capital Funding Agreement between the Washington Metropolitan Area Transit Authority (“WMATA”), the State of Maryland, the District of Columbia, Arlington County, Virginia, Fairfax County, Virginia, the City of Alexandria, Virginia, the City of Fairfax, Virginia, and the City of Falls Church, Virginia (“CFA”) to provide additional capital funding for a one-year extension to a capital improvement program for the WMATA transit system, from July 1, 2016, to June 30, 2017.

(b) On July 1, 2010, the Office of Contracting and Procurement, on behalf of the District Department of Transportation, executed the multiyear CFA to provide capital funding for a capital improvement program from July 1, 2010, through June 30, 2016, in the ceiling amount of \$397,314,000.

(c) A first amendment is now necessary to extend the CFA to June 30, 2017, and to increase the District of Columbia’s allocated contribution amount for WMATA Fiscal Year 2017 by \$92.1 million for a total District ceiling amount under the CFA of \$489,414,000.

(d) Council approval is necessary because these modifications increase the contract by more than \$1 million during a 12-month period.

(e) Approval is necessary to allow the continuation of these vital improvements. Without Council approval, WMATA cannot be paid for services provided in excess of \$1 million for the contract period July 1, 2016, through June 30, 2017.

ENROLLED ORIGINAL

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the First Amendment to the Washington Metropolitan Area Transit Authority Multi-Jurisdictional Capital Funding Agreement Emergency Approval Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 29, 2016
Petition Date: September 12, 2016
Hearing Date: September 26, 2016

License No.: ABRA-077797
Licensee: Cafe Bistro MED, LLC.
Trade Name: Cafe 8
License Class: Retailer's Class "C" Restaurant
Address: 424 8th Street, S.E.
Contact: Turan Tombul: (202) 547-1555

WARD 6 ANC 6B SMD 6B04

Notice is hereby given that this licensee has applied for a Substantial Change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours of operation and alcoholic beverage sales and consumption.

CURRENT HOURS OF OPERATION

Sunday 11 am - 11 pm, Monday through Thursday 6 am - 11 pm, Friday and Saturday 6 am - 12 am

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday 11 am - 11 pm, Monday through Thursday 8 am - 11 pm, Friday and Saturday 8 am - 12 am

PROPOSED HOURS OF OPERATION

Sunday through Saturday 8 am - 2 am

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 10 am - 1 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

Posting Date: July 29, 2016
Petition Date: September 12, 2016
Hearing Date: September 26, 2016

License No.: ABRA-092791
Licensee: District Taco, LLC
Trade Name: District Taco
License Class: Retailer's Class "D" Restaurant
Address: 656 Pennsylvania Avenue, S.E.
Contact: Chris Medhurst: (703) 560-0369

WARD 6

ANC 6B

SMD 6B02

Notice is hereby given that this licensee has applied for a Substantial Change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Sidewalk Cafe with seating for 10.

CURRENT HOURS OF OPERATION ON PREMISE

Sunday through Saturday 7 am - 10 pm

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION ON PREMISE

Sunday through Saturday 11 am - 10 pm

PROPOSED HOURS OF OPERATION FOR SIDEWALK CAFE

Sunday through Saturday 8 am - 9 pm

PROPOSED HOURS OF ALCOHOLIC BEVERAGE SALE/SERVICE/CONSUMPTION FOR SIDEWALK CAFE

Sunday through Saturday 8 am - 9 pm

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****READVERTISEMENT**

Posting Date: July 29, 2016
Petition Date: September 12, 2016
Hearing Date: September 26, 2016

License No.: ABRA-089011
Licensee: Moonkor Corporation
Trade Name: S.E. Market
License Class: Retailer’s Class “B” Grocery
Address: 1500 Independence Avenue, S.E.
Contact: Tae Won Moon: 703-775-7015

WARD 6

ANC 6B

SMD 6B10

Notice is hereby given that this applicant has applied for a Substantial Change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the Hearing Date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petitions and/or requests to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requests a Change of Hours of operation and alcoholic beverage sales.

CURRENT HOURS OF OPERATION

Sunday through Saturday 8:00 am to 9:00 pm

CURRENT HOURS OF ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 9:00 am to 9:00 pm

PROPOSED HOURS OF OPERATION/ALCOHOLIC BEVERAGE SALES

Sunday through Saturday 8:00 am to 12:00 am

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION

NOTICE OF PUBLIC HEARING

****RESCIND**

Posting Date: June 24, 2016
Petition Date: August 8, 2016
Hearing Date: August 22, 2016

License No.: ABRA-089011
Licensee: Monkor Corporation
Trade Name: S.E. Market
License Class: Retailer’s Class “A” Liquor Store
Address: 1500 Independence Avenue, S.E.
Contact: Jin K. Kent: 703-899-7983

WARD 6

ANC 6B

SMD 6B10

Notice is hereby given that this licensee has applied for a Substantial Change to its license under the D.C. Alcoholic Beverage Control Act and that the objectors are entitled to be heard before the granting of such on the hearing date at 10:00 am, 4th Floor, 2000 14th Street, N.W., Washington, DC 20009. Petition and/or request to appear before the Board must be filed on or before the Petition Date.

NATURE OF SUBSTANTIAL CHANGE

Applicant requested a Change of Hours of operation and alcoholic beverage sales and consumption.

CRRENT HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 8am - 9pm

PROPOSED HOURS OF OPERATION AND ALCOHOLIC BEVERAGE SALES/SERVICE/CONSUMPTION

Sunday through Saturday 8am - 12am

OFFICE OF THE DEPUTY MAYOR FOR EDUCATION

NOTICE OF PUBLIC MEETINGS REGARDING
SURPLUS RESOLUTIONS PURSUANT TO D.C. OFFICIAL CODE §10-801

The District will conduct a public hearing to receive public comments on the proposed surplus of the following District properties. The date, time and location shall be as follows:

Properties: Square 6204, Lot0801 – 4600 Livingston Road, SE (“PR Harris School Building”)

Date: August 9, 2016

Time: 6:30 p.m.

Location: *PR Harris School*
4600 Livingston Road, SE
Washington, DC 20032

Contact: Althea O. Holford
Deputy Mayor for Education
202.727.4036 or althea.holford@dc.gov

DEPARTMENT OF ENERGY AND ENVIRONMENT

**NOTICE OF PUBLIC HEARING AND
SOLICITATION OF PUBLIC COMMENT****Draft Revised Total Maximum Daily Loads for Organochlorine Pesticides and
Polychlorinated Biphenyls for Small Tributaries in Rock Creek and Potomac River
Watersheds in the District of Columbia**

The Director of the Department of Energy and Environment (the Department) is submitting for public review and comment the Draft revised Total Maximum Daily Loads (TMDLs) for organics for the following Small Tributaries in the Rock Creek and Potomac River watersheds in the District of Columbia:

- *Broad Branch; Dumbarton Oaks; Dalecarlia Tributary; Fenwick Branch; Klingle Valley Creek; Luzon Branch; Melvin Hazen Valley Branch; Normanstone Creek; Oxon Run; Pinehurst Branch; Piney Branch; Portal Branch; and Soapstone Creek.*

The Draft revised TMDLs supersede the following TMDLs that were approved by the United States Environmental Protection Agency (EPA) from 2004-2005:

- District of Columbia Final Total Maximum Daily Loads for Organics and Metals in Broad Branch, Dumbarton Oaks, Fenwick Branch, Klingle Valley Creek, Luzon Branch, Melvin Hazen Valley Branch, Normanstone Creek, Pinehurst Branch, Piney Branch, Portal Branch, and Soapstone Creek (posted at <http://doee.dc.gov/publication/rock-creek-tributaries-organics-and-metals-tmdl>)
- District of Columbia Final Total Maximum Daily Loads for Organics and Metals in Battery Kemble Creek, Foundry Branch, and Dalecarlia Tributary (posted at <http://doee.dc.gov/service/potomac-tributaries-organics-and-metals-tmdl>)
- District of Columbia Final Total Maximum Daily Loads for Organics and Metals and Bacteria in Oxon Run (posted at <http://doee.dc.gov/publication/oxon-run-organics-metals-and-fecal-coliform-bacteria-tmdl-and-revised-e-coli-revision>)

These TMDLs have been revised as a result of a challenge in federal District Court to the TMDLs above for failing to include daily load expressions. On January 15, 2009, the Anacostia Riverkeeper, Friends of the Earth, and Potomac Riverkeeper filed a complaint (Case No.: 1:09-cv-00098-JDB) that certain District TMDLs did not include a daily load expression established as required by *Friends of the Earth vs. the Environmental Protection Agency*, 446 F.3d 140, 144 (D.C. Cir. 2006). The District Court ultimately vacated the subject TMDLs, but delayed vacatur in order to allow the District of Columbia and EPA sufficient time to establish and approve replacement TMDLs. For purposes of these TMDLs, vacatur is stayed until January 1, 2017.

The Draft revised TMDLs provide daily loading expressions, and also incorporate new water quality standards that the District has promulgated since October 2005. The TMDLs that are being revised are based on waterbodies listed as impaired in the 2014 Integrated Report.

The Department is also seeking comment on informational TMDLs that are presented in Appendix A. These TMDLs have been calculated to meet the updated 2015 EPA Recommended Water Quality Criteria for the Protection of Human Health because the Department is considering revising its human health criteria to be consistent with these updates in the next water quality standards triennial review.

Public Hearing

A public hearing on the above described Draft revised TMDLs may be held within the 30-day comment period (**7/29/2016 to 8/29/2016**), if requested by interested parties.

Beginning **7/29/2016**, copies of the Draft TMDL revisions will be available online at the Department's website. A person may obtain a copy of the Draft TMDL revisions by any of the following means:

Download from the Department's website, www.doe.dc.gov. Select the *Laws and Regulations* tab. Cursor over the pull-down list and select *Public Notices and Hearings*. On the new page, cursor down to the announcement for this Notice. Click on *Read More* and download this Notice and related information from the *Attachments* section.

Email a request to george.onyullo@dc.gov with "Organics TMDL Revisions" in the subject line.

Review a copy in person at the Martin Luther King, Jr. Library, 901 G. Street, NW, Washington, DC 20001 during normal business hours.

Write the Department at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: George E. Onyullo, RE: Organics TMDL Revisions" on the outside of the envelope.

The deadline for comments is 8/29/2016 at 5:00 P.M. Person(s) may also submit written comment(s) by email, with a subject line of "Organics TMDL Revisions," to the attention of George E. Onyullo at george.onyullo@dc.gov. Comments clearly marked "Organics TMDL Revisions" may also be hand delivered or mailed to the Department's offices at the address listed above. All comments should be received no later than Monday, August 29, 2016. All comments received on these Draft revised TMDLs during the comment period will be made part of the public record, and will be considered, as appropriate in any further revisions, prior to submitting a final draft to EPA for approval.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Monday, October 24, 2016, @ 6:30 P.M.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 16-07 (W-G 9th & O, LLC – Consolidated PUD and Related Map Amendment @ Square 399)

THIS CASE IS OF INTEREST TO ANCs 6E and 2F

On March 29, 2016, the Office of Zoning received an application from W-G 9th & O, LLC (the "Applicant") requesting approval of a consolidated planned unit development ("PUD") and related zoning map amendment from the C-2-A Zone District to the C-2-B Zone District for property located at Lot 66 in Square 399 (the "Property"). The Office of Planning submitted a report to the Zoning Commission, dated June 3, 2016. At its June 13, 2016 public meeting, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on June 29, 2016.

The Property that is the subject of this application is a rectangular lot with a land area of approximately 15,093 square feet. The Property has approximately 94.4 linear feet of frontage on O Street, N.W. and approximately 160 linear feet of frontage on 9th Street, N.W. The Property is located in Ward 6, and is within the boundaries of Advisory Neighborhood Commission ("ANC") 6E, and is adjacent to the boundaries of ANC 2F.

The Property is currently improved with the Scripture Cathedral Church, a 50-foot tall brick building constructed in 1986. The Applicant proposes to raze the existing building in connection with redevelopment of a mixed-use project comprised of retail and residential uses. The PUD will have a density of approximately 6.0 floor area ratio and will include a total of approximately 90,458 square feet of gross floor area. Approximately 83,470 square feet of gross floor area will be devoted to residential use (approximately 66 units) and approximately 6,988 square feet of gross floor area will be devoted to retail use.

The public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written testimony prior to giving statements, and limit oral presentations to summaries of the most

important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF PUBLIC HEARING**

TIME AND PLACE: **Thursday, October 27, 2016, @ 6:30 P.M.**
Jerrily R. Kress Memorial Hearing Room
441 4th Street, N.W., Suite 220
Washington, D.C. 20001

FOR THE PURPOSE OF CONSIDERING THE FOLLOWING:

Z.C. Case No. 16-10 (EAJ 400 Florida Avenue, LLC – Consolidated PUD & Related Map Amendment @ Square 3588)

THIS CASE IS OF INTEREST TO ANCs 5D & 6C

On May 11, 2016, the Office of Zoning received an application from EAJ 400 Florida Avenue, LLC (the "Applicant") requesting approval of a consolidated planned unit development ("PUD") and related zoning map amendment from the C-M-1 Zone District to the C-3-C Zone District for property located at 400 Florida Avenue, N.E. (Square 3588, Lots 4, 25, and 803) (the "Property"). The Office of Planning submitted a report to the Zoning Commission, dated June 17, 2016. At its June 27, 2016 public meeting, the Zoning Commission voted to set down the application for a public hearing. The Applicant provided its prehearing statement on July 8, 2016.

The Property has a land area of approximately 20,455 square feet and is bounded by a public alley to the north, 5th Street, N.E. to the east, Florida Avenue, N.E. to the south, and 4th Street, N.E. to the west. The Property is located in Ward 5, is within the boundaries of Advisory Neighborhood Commission ("ANC") 5D, and is adjacent to the boundaries of ANC 6C.

The Property is currently improved with two two-story structures and is otherwise unimproved. The Applicant proposes to raze the existing structures in connection with redevelopment of the Property to construct a new mixed-use building composed of residential and hotel uses. The PUD will have a density of approximately 8.0 floor area ratio and will include a total of approximately 98,836 square feet of residential use (110 units, plus or minus 10%) and approximately 65,540 square feet of hotel use (164 rooms). Of the total residential gross floor area, the Applicant will dedicate six percent to households earning up to 50% of the area medium income ("AMI") and another six percent to households earning up to 80% of the AMI.

The public hearing will be conducted in accordance with the contested case provisions of the Zoning Regulations, 11 DCMR § 3022.

How to participate as a witness.

Interested persons or representatives of organizations may be heard at the public hearing. The Commission also requests that all witnesses prepare their testimony in writing, submit the written

testimony prior to giving statements, and limit oral presentations to summaries of the most important points. The applicable time limits for oral testimony are described below. Written statements, in lieu of personal appearances or oral presentation, may be submitted for inclusion in the record.

How to participate as a party.

Any person who desires to participate as a party in this case must so request and must comply with the provisions of Subtitle Z § 404.1.

A party has the right to cross-examine witnesses, to submit proposed findings of fact and conclusions of law, to receive a copy of the written decision of the Zoning Commission, and to exercise the other rights of parties as specified in the Zoning Regulations. If you are still unsure of what it means to participate as a party and would like more information on this, please contact the Office of Zoning at dcoz@dc.gov or at (202) 727-6311.

Except for an affected ANC, any person who desires to participate as a party in this case must clearly demonstrate that the person’s interests would likely be more significantly, distinctly, or uniquely affected by the proposed zoning action than other persons in the general public. Persons seeking party status **shall file with the Commission, not less than 14 days prior to the date set for the hearing, or 14 days prior to a scheduled public meeting if seeking advanced party status consideration, a Form 140 – Party Status Application, a copy of which may be downloaded from the Office of Zoning’s website at: <https://app.dcoz.dc.gov/Help/Forms.html>.** This form may also be obtained from the Office of Zoning at the address stated below.

Subtitle Z § 406.2 provides that the written report of an affected ANC shall be given great weight if received at any time prior to the date of a Commission meeting to consider final action, including any continuation thereof on the application, and sets forth the information that the report must contain. Pursuant to Subtitle Z § 406.3, if an ANC wishes to participate in the hearing, it must file a written report at least seven days in advance of the public hearing and provide the name of the person who is authorized by the ANC to represent it at the hearing.

All individuals, organizations, or associations wishing to testify in this case are encouraged to inform the Office of Zoning their intent to testify prior to the hearing date. This can be done by mail sent to the address stated below, e-mail (donna.hanousek@dc.gov), or by calling (202) 727-0789.

The following maximum time limits for oral testimony shall be adhered to and no time may be ceded:

- | | | |
|----|----------------------------------|-------------------------|
| 1. | Applicant and parties in support | 60 minutes collectively |
| 2. | Parties in opposition | 60 minutes collectively |
| 3. | Organizations | 5 minutes each |
| 4. | Individuals | 3 minutes each |

Pursuant to Subtitle Z § 408.4, the Commission may increase or decrease the time allowed above, in which case, the presiding officer shall ensure reasonable balance in the allocation of time between proponents and opponents.

Written statements, in lieu of oral testimony, may be submitted for inclusion in the record. The public is encouraged to submit written testimony through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, DC 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Please include the case number on your submission. **FOR FURTHER INFORMATION, YOU MAY CONTACT THE OFFICE OF ZONING AT (202) 727-6311.**

ANTHONY J. HOOD, MARCIE I. COHEN, ROBERT E. MILLER, PETER G. MAY, AND MICHAEL G. TURNBULL ----- ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA, BY SARA A. BARDIN, DIRECTOR, AND BY SHARON S. SCHELLIN, SECRETARY TO THE ZONING COMMISSION.

DEPARTMENT OF BEHAVIORAL HEALTH

NOTICE OF FINAL RULEMAKING

The Director of the Department of Behavioral Health (“the Department”), pursuant to the authority set forth in Sections 5113, 5115, 5117 and 5118 of the Department of Behavioral Health Establishment Act of 2013, effective December 24, 2013 (D.C. Law 20-61; D.C. Official Code §§ 7-1141.02, 7-1141.04, 7-1141.06 and 7-1141.07 (2012 Repl.)), hereby gives notice of the repeal of Chapter 23 (Certification Standards for Substance Abuse Treatment Facilities and Programs) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

The Department established a new Chapter 63, “Certification Standards for Substance Use Disorder Treatment and Recovery Providers” of Subtitle A (Mental Health) of Title 22 (Health) of the DCMR, effective September 4, 2015. The purpose of the new rule was to: 1) update the substance use disorder treatment and recovery service requirements to reflect improvements in the American Society of Addiction Medicine (“ASAM”) practice guidelines, including the addition of clinical care coordination services and the requirement that treatment services be performed by qualified practitioners; 2) establish new levels of care that improve person-centered, individualized treatment; 3) align the certification requirements with other certified programs within the authority of the Department of Behavioral Health; and 4) incorporate the requirements of the Adult Substance Abuse Rehabilitation Services (“ASARS”) State Plan Amendment (“SPA”), which allows Medicaid reimbursement for services falling within the ASARS requirements. Substance use disorder providers that were certified pursuant to Chapter 23 of Title 29 (Public Welfare), and other eligible providers, are required to become certified under the new Chapter 63 in order to continue to provide substance use disorder services. Providers certified pursuant to Chapter 23 were notified that Chapter 23 would be repealed effective May 31, 2016, and have therefore had a period of nine (9) months in order to ensure the new certifications standards were met if they wished to continue to provide services.

The Notice of Proposed Rulemaking was published in the *D.C. Register* on May 20, 2016 at 63 DCR 007689. No comments were received and no substantive changes have been made. The Director adopted this rule as final on June 28, 2016 and it shall become effective on the date of publication of this notice in the *D.C. Register*.

Chapter 23, CERTIFICATION STANDARDS FOR SUBSTANCE ABUSE TREATMENT FACILITIES AND PROGRAMS, of Title 29 DCMR, PUBLIC WELFARE, is repealed in its entirety and reserved.

OFFICE OF CONTRACTING AND PROCUREMENT

NOTICE OF FINAL RULEMAKING

The Chief Procurement Officer of the District of Columbia, pursuant to the authority set forth in Sections 204 and 1106 of the Procurement Practices Reform Act of 2010, effective April 8, 2011 (D.C. Law 18-371; D.C. Official Code §§ 2-352.04 and 2-361.06 (2012 Repl.)) (the “Act”), hereby gives notice of the intent to adopt this final rulemaking to amend Chapter 41 (Use of District Property and Sources by Contractors) of Title 27 (Contracts and Procurement) of the District of Columbia Municipal Regulations (DCMR).

The rulemaking updates Chapter 41 and implements the provisions in the Act that apply to contractor use of District supply sources, including the use and responsibility of District vehicles, property, and facilities. The current Chapter 41 contains regulations that are outdated and inconsistent with the Act.

The Chief Procurement Officer gave notice of his intent to adopt these rules on December 9, 2015, and the proposed rules were published in the *D.C. Register* on April 22, 2016, at 63 DCR 6151. No comments were received and no changes have been made to the text of the rules as published. The CPO took final action to adopt these rules on June 15, 2016 and they will become effective upon publication of this notice in the *D.C. Register*.

Chapter 41, USE OF DISTRICT PROPERTY AND SOURCES BY CONTRACTORS, of Title 27 DCMR, CONTRACTS AND PROCUREMENT, is amended as follows:

Section 4100, CONTRACTOR USE OF DISTRICT SUPPLY SOURCES, is amended to read as follows:

4100 CONTRACTOR USE OF DISTRICT SUPPLY SOURCES

4100.1 When it is in the best interest of the District, and if goods or services required in the performance of a District contract are available from District supply sources, the contracting officer may authorize contractors to use these sources in performing the following types of contracts:

- (a) Cost-reimbursement; or
- (b) Other types of contracts when the contracting officer determines that a substantial dollar portion of the contract is of a cost-reimbursement nature, or that the contract cost can be reduced by authorizing the use of District supply sources by the contractor.

4100.2 The authorization to the contractor to use District supply sources shall include, but not be limited to, consideration of the following factors:

- (a) The administrative cost of placing orders with District supply sources and the program impact of delay factors, if any;
 - (b) The lower cost of items available through District supply sources;
 - (c) The suitability of items available through District supply sources;
 - (d) Delivery factors, such as cost and time; and
 - (e) The recommendations of the contractor.
- 4100.3 The contracting officer shall issue authorizations to subcontractors to use District supply sources through, and with the approval of, the contractor.
- 4100.4 The contracting officer may include in the authorization to use District supply sources any limitations or conditions deemed necessary, such as the following:
- (a) A limitation on the authority to purchase from District supply sources to any overhead supplies, but not production supplies;
 - (b) A limitation on the authority for use of District sources to a specific dollar amount;
 - (c) A restriction on the authorization to use certain facilities or to specific contracts; or
 - (d) A specific provision setting forth whether vesting of title will differ from other property acquired or otherwise furnished by the contractor for use under the contract.
- 4100.5 When ordering from District supply sources, contractors shall follow all applicable rules, regulations, procedures, and contract terms.
- 4100.6 When ordering from District supply sources, contractors shall comply with the requirements of the contracting officer's authorization and order only those items required for performance of the contract.
- 4100.7 Title to property acquired by the contractor under the contracting officer's authorization may vest in either the District or the contractor, as provided in the contract. If the contract is silent on the vesting of title, title shall vest in the District.
- 4100.8 Supplies or services provided to a contractor from District supply sources do not contain any representation or warranty as to quality or suitability unless otherwise provided in a contract.

Section 4101, CONTRACTOR USE OF DISTRICT VEHICLES AND RELATED SERVICES, is amended to read as follows:

4101 CONTRACTOR USE OF DISTRICT VEHICLES AND RELATED SERVICES

4101.1 When it is in the best interest of the District, the contracting officer may authorize contractors in writing to use District-owned or leased vehicles and related services (including fuel and lubricants, vehicle inspection, maintenance, repair, and vehicle storage), in accordance with the provisions of this section.

4101.2 The contracting officer may authorize a contractor to use District-owned or leased vehicles and related services only if:

- (a) The number of vehicles and related services required for use by the contractor is predictable and expected to remain fairly constant;
- (b) The proposed contract or contracts will bear the entire cost of the vehicle program;
- (c) The vehicles will not be used for any purpose other than carrying out the contract for which the vehicles were provided;
- (d) The contractor does not have and would not be expected to have an existing and continuing capability for providing the vehicles from its own resources; and
- (e) Substantial savings are expected.

4101.3 District-owned or leased vehicles and related services used by the contractor under this section shall be used only in connection with the performance of one (1) or more specific District contracts for which use of the vehicles and related services was authorized.

4101.4 Before authorizing a contractor to use District-owned or leased vehicles and related services, the contracting officer shall do the following:

- (a) Determine whether the authorization will accomplish the District's contractual objectives and reduce costs;
- (b) Obtain evidence that the contractor has in effect insurance in accordance with the provisions of the contract;
- (c) Arrange for periodic checks to ensure that contractors are using the District-owned or leased vehicles and related services in accordance with the terms of the authorization;

- (d) Ensure that the contractor establishes and enforces penalties for employees who use or authorize the use of District-owned or leased vehicles or related services for purposes other than the performance of District contracts for which use of the vehicles and related services was authorized; and
- (e) Obtain a written statement from the contractor that the contractor will assume, without the right of reimbursement from the District, the cost or expense and liability of any use of the District-owned or leased vehicles and related services not related to the performance of the contract.

Section 4102, USE OF DISTRICT PROPERTY AND FACILITIES, is amended to read as follows:

4102 USE OF DISTRICT PROPERTY AND FACILITIES

4102.1 Except as provided otherwise in this chapter or the contract, each contractor and subcontractor shall furnish all property and facilities necessary to perform District contracts.

Section 4103, FACILITIES CONTRACTS, is repealed and replaced with:

4103 [RESERVED]

Section 4104, PROVISION OF MATERIAL FOR PERFORMING CONTRACTS, is amended to read as follows:

4104 PROVISION OF MATERIAL FOR PERFORMING CONTRACTS

4104.1 Except as provided otherwise in this section, each contractor and subcontractor shall furnish all material for performing District contracts.

4104.2 The contracting officer may provide material to the contractor or subcontractor when necessary to achieve significant economy, standardization, expedited production, or when it is otherwise determined to be in the best interest of the District.

4104.3 The solicitation shall specify material that the District will furnish in sufficient detail to enable offerors to accurately evaluate and respond to the solicitation.

Section 4106, CONTRACTOR RESPONSIBILITY FOR DISTRICT PROPERTY, is amended to read as follows:

4106 CONTRACTOR RESPONSIBILITY FOR DISTRICT PROPERTY

- 4106.1 Except as provided in the contract, the contractor shall be directly responsible and accountable for all District property, including all District property in the possession or control of a subcontractor.
- 4106.2 The contractor shall maintain and make available all property control records required under this chapter and account for all District property until relieved of the responsibility by the contracting officer under the terms of the contract or this section.
- 4106.3 The contractor shall assume responsibility for the control of District property upon:
- (a) Delivery of District furnished property into the contractor's custody or control; or
 - (b) Delivery to the contractor, when property is purchased by the contractor and the contract calls for reimbursement by the District. This requirement shall not alter or modify contractual requirements relating to passage of title.
- 4106.4 Property to which the District has acquired a lien or title solely as a result of advance, progress, or partial payments shall not be subject to the requirements of §§ 4106 and 4107 of this chapter.
- 4106.5 The contractor shall require subcontractors provided with District property under the prime contract to comply with the requirements of §§ 4106 and 4107 of this chapter. Procedures for ensuring subcontractor compliance shall be included in the contractor's property control system.
- 4106.6 Unless the contract or contracting officer provides otherwise, the contractor shall be relieved of property control responsibility for District property by the occurrence of any of the following:
- (a) Reasonable and proper consumption of property in the performance of the contract as determined by the contracting officer;
 - (b) Retention by the contractor, with the approval of the contracting officer, of property for which the District has received adequate consideration;
 - (c) The authorized sale of property, provided the proceeds are received by the District;
 - (d) Shipment from the contractor's plant, under District instructions, except when shipment is to a subcontractor or other location of the contractor; or

- (e) A written determination by the contracting officer of the contractor's liability for any property that is lost, damaged, destroyed, or consumed in excess of that normally anticipated in a manufacturing or processing operation, which is followed by reimbursement of the District of any amount required in the determination. If the property is rendered unserviceable by damage, the property shall be properly disposed of, and the determination shall refer to the documents evidencing disposal.

Section 4107, PROPERTY CONTROL SYSTEMS, is amended to read as follows:

4107 PROPERTY CONTROL SYSTEMS

- 4107.1 The contractor shall establish and maintain a system to record, control, protect, preserve, and maintain all District property. The system shall be reviewed and approved by the contracting officer before District property is provided or made available to the contractor. If the contracting officer finds any portion of the contractor's property control system to be inadequate, the contractor shall be required to take any necessary corrective action before the system can be approved.
- 4107.2 The property control system, and implementation of the property control system, may be reviewed at any time during the period of the contract by the contracting officer.
- 4107.3 If the contracting officer finds any portion of the contractor's property control system, or implementation of its property control system, to be inadequate, the contractor shall be required to take any necessary corrective action ordered by the contracting officer and the contracting officer may suspend the contractor's authority to use District property until the corrective action is taken.
- 4107.4 If District property is found to be in the possession or control of the contractor, although not provided under any contract, the contractor shall promptly record the property and furnish to the contracting officer all known circumstances and data pertaining to its receipt and a statement about whether it is needed for the performance of the contract.
- 4107.5 If unrecorded District property is found in the possession or control of the contractor, both the cause of the discrepancy and actions taken or needed to prevent recurrence shall be determined and reported to the contracting officer.
- 4107.6 The contractor shall promptly report to the contracting officer all District property it receives in excess of the amounts needed to complete full performance under the contracts providing it or authorizing its use.

- 4107.7 The contractor shall furnish written receipts for all or specified classes of District property only when the contracting officer deems it essential for maintaining acceptable property controls.
- 4107.8 If overages, shortages, or damages are discovered upon receipt of District property, the contractor shall provide a statement of the condition and apparent causes to the contracting officer. Only the quantity of property actually received shall be recorded on the official records.

Section 4109, CONTRACTOR LIABILITY FOR DISTRICT PROPERTY, is amended to read as follows:

4109 CONTRACTOR LIABILITY FOR DISTRICT PROPERTY

- 4109.1 Contractors shall be responsible and liable for District property in their possession, unless otherwise specified in the contract.
- 4109.2 When the District provides District property directly to a subcontractor, the provisions of this section shall apply to the subcontractor.
- 4109.3 Subcontractors shall be liable for loss of or damage to District property furnished through the prime contractor.
- 4109.4 A prime contractor that provides District property to a subcontractor shall not be relieved of any responsibility to the District that the prime contractor may have under the terms of the prime contract.
- 4109.5 Subject to the terms of the contract and the circumstances surrounding the particular case, the contractor shall be liable for shortages, loss, damages, or destruction of District property. The contractor shall also be liable when the use or consumption of District property unreasonably exceeds the allowances provided for by the contract.
- 4109.6 The contractor shall investigate and report to the contracting officer all cases of loss, damage, or destruction of District property in its possession or control as soon as the facts become known, or when requested by the contracting officer. A report shall also be furnished when completed and accepted products or end items are lost, damaged, or destroyed while in the contractor’s possession or control.
- 4109.7 The contractor shall require any of its subcontractors possessing or controlling District property accountable under the contract to investigate and report to the contractor all instances of loss, damage, or destruction of District property.

Section 4110, DISTRICT RECORDS: GENERAL PROVISIONS, is amended to read as follows:

4110 DISTRICT RECORDS: GENERAL PROVISIONS

- 4110.1 The contractor's property control records shall constitute the District's official property records unless an exception has been authorized by the contracting officer.
- 4110.2 The contractor shall establish and maintain adequate control records for all District property, including property provided to, and in the possession or control of, a subcontractor.
- 4110.3 The property control records specified in §§ 4110 and 4111 of this chapter shall be the minimum required by the District. The contracting officer may impose additional requirements as appropriate.
- 4110.4 Unless the contracting officer directs otherwise, if a subcontractor has an approved property control system for District property provided under its own prime contracts, the contractor shall use the records created and maintained under that system as the property control records for District property controlled by the subcontractor.
- 4110.5 The contractor's property control system shall provide financial accounts for District property in the contractor's possession or control.
- 4110.6 The property control system shall be subject to internal control standards and shall be supported by property records for all property.
- 4110.7 The records shall be safeguarded from tampering or destruction.
- 4110.8 The contractor shall make the property control records available to the contracting officer and to other authorized District personnel promptly after a request from the contracting officer or other authorized District personnel.
- 4110.9 The contractor shall maintain separate property records for each contract. However, the contractor may maintain a consolidated property record if it provides the required information and is specifically authorized by the contracting officer.
- 4110.10 The contractor's property control system shall contain a system or technique to locate any item of District property within a reasonable period of time.

Section 4111, CONTENTS OF PROPERTY CONTROL RECORDS, is amended to read as follows:

4111 CONTENTS OF PROPERTY CONTROL RECORDS

- 4111.1 Official District property records shall identify all District property and provide a complete, current, auditable record of all transactions.

- 4111.2 The contractor’s property control records shall provide the following basic information for every item of District property in the contractor’s possession regardless of value:
 - (a) The name, description, and commodity code;
 - (b) Quantity received, issued, and on hand;
 - (c) Unit price;
 - (d) Contract number;
 - (e) Location;
 - (f) Disposition; and
 - (g) Posting reference and date of transaction.

Section 4113, CARE, MAINTENANCE, AND USE OF DISTRICT PROPERTY, is amended to read as follows:

4113 CARE, MAINTENANCE, AND USE OF DISTRICT PROPERTY

- 4113.1 The contractor shall be responsible for the proper care, maintenance, and use of District property in its possession or control from the time of receipt until properly relieved of responsibility, in accordance with sound industrial practice and the terms of the contract and this chapter.

- 4113.2 The removal of District property to storage, or its contemplated transfer, shall not relieve the contractor of the responsibilities set forth in this chapter.

- 4113.3 The contractor shall be responsible for a preventive maintenance program which includes the following:
 - (a) Inspection of buildings at periodic intervals to ensure detection of deterioration and the need for repairs;
 - (b) Inspection of equipment at periodic intervals to ensure detection of maladjustment, wear, or impending breakdown;
 - (c) Regular lubrication of bearings and moving parts in accordance with a lubrication plan;

- (d) Adjustments for wear, repair, or replacement of worn or damaged parts and the elimination of causes of deterioration;
- (e) Removal of sludge, chips, and cutting oils from equipment that will not be used for a period of time; and
- (f) Taking necessary precautions to prevent deterioration caused by contamination, corrosion, and other substances.

4113.4 The contractor's maintenance program shall provide for disclosing and reporting to the contracting officer the need for major repair, replacement, and other capital rehabilitation work for District property in its possession or control.

4113.5 The contractor shall keep records of maintenance actions performed and any deficiencies in District property discovered as a result of inspections.

Section 4114, PROPERTY USE PROCEDURES, is amended to read as follows:

4114 PROPERTY USE PROCEDURES

4114.1 The contractor shall establish written procedures to ensure that District property will be used only for those purposes authorized in the contract and that required approvals are obtained. The contractor's written procedures shall include;

- (a) Establishment of a minimum level of use below which an analysis of need shall be made and retention justified;
- (b) Provision for recording authorized and actual use consistent with the established use levels;
- (c) A requirement for periodic analyses of needs for District property utilization based upon known requirements; and
- (d) Provision for prompt reporting to the contracting officer of all property for which retention is not justified.

4114.2 The contractor's property control records shall provide a basis for determining and allocating rental charges.

4114.3 The contractor's or subcontractor's authority to purchase, retain, or dispose of contractor inventory of District property shall be subject to the contract provisions and to any District restrictions on the disposition of property that is hazardous to public health, safety, or welfare.

Section 4199, DEFINITIONS, is amended to read as follows:

4199 **DEFINITIONS**

4199.1 When used in this chapter, the following terms and phrases shall have the meanings ascribed:

District property - all property owned by or leased to the District or acquired by the District under the terms of the contract, including property in the possession of or directly acquired by the District and subsequently made available to the contractor.

District supply sources - sources available to the District from which the contractor or subcontractor may obtain supplies for use in certain contracts.

Facilities - property used for production, maintenance, research, development, or testing. The term “facilities” includes personal property of a capital nature (including equipment, machine tools, test equipment, furniture, vehicles, and accessory and auxiliary items) for use in manufacturing goods, in performing services, or for any administrative or general plant purpose, and real property (land and rights in land, ground improvements, utility distribution systems, and buildings and other structures), but does not include material.

Material - property that may be incorporated into or attached to a deliverable end item or that may be consumed or expended in performing a contract. The term includes assemblies, components, parts, raw and processed materials, and small tools and goods that may be consumed in normal use in performing a contract.

Preventive maintenance - maintenance performed on a regularly scheduled basis to prevent the occurrence of defects and to detect and correct minor defects before they result in serious consequences.

Property - all property, both real and personal, including facilities and material.

DEPARTMENT OF HEALTH CARE FINANCE

NOTICE OF FINAL RULEMAKING

The Director of the Department of Health Care Finance (DHCF), pursuant to the authority set forth in An Act to enable the District of Columbia to receive federal financial assistance under Title XIX of the Social Security Act for a medical assistance program, and for other purposes, approved December 27, 1967 (81 Stat. 744; D.C. Official Code § 1-307.02 (2014 Repl. & 2016 Supp.)) and Section 6(6) of the Department of Health Care Finance Establishment Act of 2007, effective February 27, 2008 (D.C. Law 17-109; D.C. Official Code § 7-771.05(6) (2012 Repl.)), hereby gives notice of the adoption of an amendment to Section 1919, entitled “Behavioral Support Services,” of Chapter 19 (Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities) of Title 29 (Public Welfare) of the District of Columbia Municipal Regulations (DCMR).

These final rules establish standards governing reimbursement of behavioral support services provided to participants in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver) and conditions of participation for providers.

The ID/DD Waiver was approved by the Council of the District of Columbia (Council) and renewed by the U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services, for a five-year period beginning November 20, 2012. An amendment to the ID/DD Waiver was approved by the Council through the Medicaid Assistance Program Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-155; D.C. Official Code § 1-307.02(a)(8)(E) (2014 Repl. & 2016 Supp.)). CMS approved the amendment to the ID/DD Waiver effective September 24, 2015.

A Notice of Emergency and Proposed Rulemaking was published in the *D.C. Register* on April 15, 2016, at 63 DCR 005788, which amended the rules by: (1) clarifying words and/or phrases to reflect more person-centered language and to simplify interpretation of the rule; (2) modifying service definition to reflect a tiered service utilizing low, moderate and high intensity behavioral supports with annual limits on each level of service; (3) adding clarifying language regarding services delivered by Licensed Graduate Social Workers; and (4) increasing the rates for diagnostic assessments and behavioral supports provided by professionals and paraprofessionals. The emergency rulemaking was adopted on April 4, 2016, became effective immediately, and shall remain in effect until August 2, 2016, or it is superseded by publication of a Notice of Final Rulemaking in the *D.C. Register*.

DHCF received no comments to the emergency and proposed rulemaking and no changes have been made. The Director of DHCF adopted these rules as final on July 15, 2016, and they shall be effective on the date of publication of this notice in the *D.C. Register*.

Chapter 19, HOME AND COMMUNITY-BASED SERVICES WAIVER FOR INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES, of Title 29 DCMR, PUBLIC WELFARE, is amended as follows:

Section 1919, BEHAVIORAL SUPPORT SERVICES, is amended to read as follows:

1919 BEHAVIORAL SUPPORT SERVICES

- 1919.1 The purpose of this section is to establish standards governing Medicaid eligibility for behavioral support services for persons enrolled in the Home and Community-Based Services Waiver for Individuals with Intellectual and Developmental Disabilities (Waiver), and to establish conditions of participation for providers of behavioral support services.
- 1919.2 Behavioral support services are designed to assist people who exhibit behavior that inhibits their ability to live safely in the community and/or who need support to:
- (a) Build alternative and more communication skills;
 - (b) Achieve positive personal outcomes including their Individualized Support Plan (ISP) goals, based on what is important to and important for people; and
 - (c) Interact more effectively in the community.
- 1919.3 Medicaid reimbursable behavioral support services shall be:
- (a) Recommended by the person's support team;
 - (b) Identified in the person's ISP and Plan of Care;
 - (c) Approved by the Department on Disability Services (DDS) Restrictive Controls Review Committee or Health and Wellness Unit for one-to-one behavioral supports;
 - (d) Recommended by a physician or Advanced Practice Registered Nurse (APRN) if the services are one-to-one behavioral supports related to a medical condition; and
 - (e) Prior authorized by DDS before the commencement of services.
- 1919.4 Medicaid reimbursable behavioral support services may include the following activities, as needed by the person:
- (a) Development of a Diagnostic Assessment Report (DAR) in accordance with the requirements described under Subsections 1919.22 to 1919.23;

- (b) Development of a Behavior Support Plan (BSP) in accordance with the requirements described under Subsections 1919.24 to 1919.26;
- (c) Implementation of positive behavioral support strategies and principles based on the DAR and BSP;
- (d) Training of the person, his or her family, support team, and providers of their residential services and day services, to implement the BSP;
- (e) Evaluation of the effectiveness of the BSP by monitoring the plan at least monthly, or more often as necessary, developing a system for collecting BSP-related data, and revising the BSP;
- (f) Consultation services for the person, his or her family and/or support team;
- (g) Counseling services for the person, if pre-approved by DDS; and
- (h) Participating in the person's quarterly psychotropic medication review.

1919.5 Behavioral support services shall be provided in one of three tiers, based upon the assessed needs of the person:

- (a) Tier 1, or Low Intensity Behavioral Support, shall assist a person with behavior that is not dangerous to himself or herself or others but whose behavior may interfere with the person's ability to achieve ISP goals;
- (b) Tier 2, or Moderate Behavioral Support, shall assist a person whose behavior impacts his or her ability to retain a baseline level of independence or that interferes with the person's quality of life; and
- (c) Tier 3, or Intensive Behavioral Support, shall assist a person who exhibits behavior that is extremely challenging and may be complicated by medical or mental health factors.

1919.6 Medicaid reimbursement for Tier 1 Low Intensity Behavioral Support Services shall provide up to twelve (12) hours of support per year for the services listed below. Services provided that exceed the limitations shall not be reimbursed except as provided in Subsection 1919.10.

- (a) Training of the person, his or her family, the support team, and residential and day staff; and
- (b) On-site consultation and observations.

1919.7 Medicaid reimbursement for Tier 2 Moderate Behavioral Support Services shall provide up to fifty (50) hours of support per year for the services listed below; and

Medicaid reimbursement for Tier 3 Intensive Behavioral Support Services shall provide up to one hundred (100) hours of support per year for the services listed below. Services provided that exceed these limitations shall not be reimbursed except as provided in Subsection 1919.10.

- (a) Development of a new BSP;
- (b) Reviewing and updating the existing BSP, which shall be limited to up to three (3) hours for Tier 2 and eight (8) hours for Tier 3;
- (c) Training of the person, his or her family, the support team, and residential and day staff;
- (d) On-site consultation and observations;
- (e) Participation in behavioral review or treatment team meetings, delivering notes including emergency case conferences, hospital discharge meetings, interagency meetings, pre-ISP and ISP meetings, and human rights meetings;
- (f) Completion of quarterly reports, diagnostic updates and monitoring monthly data; and
- (g) Participation in psychotropic medication review meetings to deliver notes.

1919.8 In order to be eligible for Medicaid reimbursement, requests for more than seventy-five (75) hours of behavior support services must be reviewed and approved by a DDS designated staff member.

1919.9 In addition, a person receiving Tier 2 Moderate Behavioral Support Services may receive up to twenty-six (26) hours of counseling per year, if approved by DDS; and a person receiving Tier 3 Intensive Behavioral Support Services may receive up to fifty-two (52) hours of counseling per year, if approved by DDS.

1919.10 In order to be eligible for Medicaid reimbursement, requests for additional hours beyond the annual limits may be approved by DDS upon the submission of a diagnostic update to amend the DAR and accompanying worksheet.

1919.11 In order to be eligible for Medicaid reimbursement, requests for counseling as a behavioral support service shall be approved by a DDS designated staff member and shall be limited to counseling services that are not available under the District of Columbia State Plan for Medical Assistance.

1919.12 To qualify for Medicaid reimbursable one-to-one behavioral supports, a person shall meet one (1) of the following characteristics:

- (a) Exhibit elopement resulting in serious risk to the safety of self or others;
- (b) Exhibit behavior that is life threatening to self and others;
- (c) Exhibit destructive behavior causing serious property damage;
- (d) Exhibit sexually predatory behavior;
- (e) Exhibit self-injurious behavior that poses a serious risk to the person's safety; or
- (f) Have a medical condition that requires one-to-one services.

1919.13 Medicaid reimbursable one-to-one behavioral supports related to a medical condition must be approved by DDS, and shall be based upon a physician or APRN order for one-to-one behavioral supports associated with a medical condition that meets the requirements of DDS's policies and procedures. The order must include, but is not limited to, the following information:

- (a) A specific time period or duration for the delivery of services;
- (b) A description of the medical condition that causes the person's health or safety to be at risk; and
- (c) The responsibilities of each staff person delivering supports; and
- (d) A justification for the need for one-to-one behavioral supports.

1919.14 Medicaid reimbursable one-to-one behavioral support services provided by a Direct Support Professional (DSP) shall not be provided concurrently with in-home supports, day habilitation, companion or individualized day supports one-to-one services unless authorized by DDS, required by court order or otherwise necessary to support a person or persons who have complex behaviors or medical needs that involve a risk to the health, safety or well-being of the person based on the intensity of the person's behavioral or medical needs.

1919.15 Within the service authorization period, a provider of Medicaid reimbursable behavioral supports services shall:

- (a) Complete the diagnostic assessment;
- (b) Complete the DAR and the accompanying behavioral support referral worksheet ("worksheet") based on the results of the diagnostic assessment; and
- (c) Complete the BSP when recommended by the DAR.

- 1919.16 The DAR shall be effective for three (3) years except as indicated in Subsection 1919.17, or for a person receiving one-to-one behavioral supports, which shall be updated annually. Reauthorization of behavioral support services within the three (3) year period shall be requested in a diagnostic update with accompanying referral worksheet submitted to the DDS Service Coordinator.
- 1919.17 When a person experiences changes in psychological or clinical functioning, the behavioral supports provider shall submit a diagnostic update with an accompanying worksheet to amend the DAR to the DDS Service Coordinator at any time during the three (3) year period, upon the recommendation of the support team.
- 1919.18 The worksheet accompanying the DAR shall include the number of hours requested for professional services, paraprofessional services, and one-to-one behavioral support services to address recommendations in the DAR.
- 1919.19 The diagnostic update shall include a written clinical justification supporting the reauthorization of services.
- 1919.20 The diagnostic update shall be reviewed by the person and his or her support team in consultation with behavioral supports staff.
- 1919.21 The BSP shall be effective for up to two (2) calendar years, which shall correspond with the person's ISP year unless revised, updated or discontinued when no longer necessary in accordance with the recommendations of the DAR and accompanying worksheet.
- 1919.22 To be eligible for Medicaid reimbursement, the diagnostic assessment shall include the following activities:
- (a) Direct assessment techniques such as observation of the person in the setting in which target behaviors are exhibited, and documentation of the frequency, duration, and intensity of challenging behaviors;
 - (b) Indirect assessment techniques such as interviews with the person's family members and support team, written record reviews, and questionnaires; and
 - (c) An explanation of how existing environmental, psychological, and/or medical influences impact the occurrence of behavioral problems.
- 1919.23 To be eligible for Medicaid reimbursement, the DAR shall include the following:
- (a) The names of individuals to contact in the event of a crisis;

- (b) A summary of the person's cognitive and adaptive functioning status;
- (c) A full description of the person's behavior including background, and environmental contributors;
- (d) The counseling and problem-solving strategies used to address behavioral problems and their effectiveness;
- (e) A list of positive, non-restrictive or less restrictive interventions utilized, the results, and an explanation of why the interventions were unsuccessful;
- (f) A list of proposed goals for achieving changes in target behaviors; and
- (g) The recommendations to initiate, continue, or discontinue behavioral support services.

1919.24 In order to be eligible for Medicaid reimbursement, the BSP shall be developed utilizing the following activities:

- (a) Interviews with the person and their support team;
- (b) Observations of the person at his or her residence and in the community, if applicable; and
- (c) Review of the person's medical and psychiatric history including laboratory and other diagnostic studies, and behavioral data.

1919.25 In order to be eligible for Medicaid reimbursement, the behavioral supports staff that develops the BSP shall be responsible for:

- (a) The coordination of the delivery of behavioral support services in the person's residential and day activity settings; and
- (b) Obtaining the person's written informed consent and the approval of the person's substitute decision-maker, the support team, the provider's human rights committee, and DDS, when required by DDS's policies and procedures.

1919.26 In order to be eligible for Medicaid reimbursement, the BSP shall include the following:

- (a) A clear description of the targeted behavior(s) that is consistent with the person's diagnosis;
- (b) The data reflecting the frequency of target behaviors;

- (c) A functional behavioral analysis of each target behavior;
- (d) A description of techniques for gathering information and collecting data;
- (e) The proactive strategies utilized to foster the person's positive behavioral support;
- (f) The measurable behavioral goals to assess the effectiveness of the BSP;
- (g) If restrictive techniques and procedures are included, the rationale for utilizing the procedures and the development of a fade-out plan; and
- (h) Training requirements for staff and other caregivers to implement the BSP.

1919.27 Each provider of behavioral support services shall comply with Sections 1904 (Provider Qualifications) and 1905 (Provider Enrollment) of Chapter 19 of Title 29 DCMR and consist of one (1) of the following provider types:

- (a) A professional service provider in private practice as an independent clinician, as described in Section 1904 (Provider Qualifications) of Chapter 19 of Title 29 DCMR;
- (b) A Mental Health Rehabilitation Services agency (MHRS) certified in accordance with the requirements of Chapter 34 of Title 22-A DCMR;
- (c) A home health agency as described in Section 1904 (Provider Qualifications), of Chapter 19 of Title 29 DCMR; or
- (d) A HCBS Provider, as described under Section 1904 (Provider Qualifications), of Chapter 19 of Title 29 DCMR.

1919.28 In order to be eligible for Medicaid reimbursement, each MHRS agency shall serve as a clinical home by providing a single point of access and accountability for the provision of behavioral support services and access to other needed services.

1919.29 Individuals authorized to provide professional behavioral support services without supervision shall consist of the following professionals:

- (a) A psychiatrist;
- (b) A psychologist;
- (c) An APRN or a Nurse-Practitioner (NP) ; and
- (d) A Licensed Independent Clinical Social Worker (LICSW).

- 1919.30 Individuals authorized to provide paraprofessional behavioral support services under the supervision of qualified professionals described under Subsection 1919.29 shall consist of the following behavior management specialists:
- (a) A licensed Professional Counselor;
 - (b) A licensed Social Worker (LISW);
 - (c) A licensed Graduate Social Worker (LGSW);
 - (d) A board Certified Behavior Analyst;
 - (e) A board Certified Assistant Behavior Analyst; and
 - (f) A registered Nurse.
- 1919.31 In order to receive Medicaid reimbursement, the person who drafts the BSP shall be a psychologist with at least a master's level degree working under the supervision of a licensed psychologist or an LICSW.
- 1919.32 In order to receive Medicaid reimbursement, the minimum qualifications for a person providing consultation are: a master's level degree in psychology, an APRN, an LICSW, an LGSW or a licensed professional counselor, with at least one (1) year of experience in serving people with developmental disabilities. Knowledge and experience in behavioral analysis shall be preferred.
- 1919.33 In order to receive Medicaid reimbursement, an LGSW may only provide counseling under the supervision of an LICSW or a LISW in accordance with the requirements set forth in Section 3413 of Chapter 34 of Title 22-A DCMR.
- 1919.34 In order to receive Medicaid reimbursement, each DSP providing behavioral support services /or one-to-one behavioral supports shall meet the following requirements:
- (a) Comply with Section 1906 (Requirements for Persons Providing Direct Services) of Chapter 19 of Title 29 DCMR; and
 - (b) Possess specialized training in physical management techniques where appropriate, and all other training required for implementing the person's specific BSP.
- 1919.35 Each provider of Medicaid reimbursable behavioral support services shall meet the requirements established under Section 1908 (Reporting Requirements) and Section 1911 (Individual Rights) of Chapter 19 of Title 29 DCMR.

- 1919.36 In order to be eligible for Medicaid reimbursement, each provider of Medicaid reimbursable behavioral supports services shall maintain the following documents for monitoring and audit reviews, as applicable:
- (a) A copy of the DARs and accompanying worksheets;
 - (b) A copy of the BSPs;
 - (c) A current copy of the behavioral support clinician's professional license to provide clinical services;
 - (d) The documentation and data collection related to the implementation of the BSP;
 - (e) The records demonstrating that the data was reviewed by appropriate staff; and
 - (f) The documents required to be maintained under Section 1909 (Records and Confidentiality of Information) of Chapter 19 of Title 29 DCMR.
- 1919.37 The Medicaid reimbursement rate for each diagnostic assessment shall be two hundred and forty seven dollars and two cents (\$247.02) and the assessment shall be at least three (3) hours in duration, and include the development of the DAR and accompanying worksheet.
- 1919.38 The Medicaid reimbursement rate for behavioral support services provided by professionals identified in Subsection 1919.29 shall be one hundred and five dollars and eighty-eight cents (\$105.88) per hour. The billable unit for fifteen (15) minutes is twenty-six dollars and forty-seven cents (\$26.47) per fifteen (15) minute billable increment for at least eight (8) continuous minutes.
- 1919.39 The Medicaid reimbursement rate for behavioral support services provided by paraprofessionals identified in Subsection 1919.30 shall be sixty-five dollars and twenty cents (\$65.20) per hour. The billable unit for fifteen (15) minutes is sixteen dollars and thirty cents (\$16.30) for each fifteen (15) minute billable increment for at least eight (8) continuous minutes.
- 1919.40 The Medicaid reimbursement rate for one-to-one behavioral support services provided by DSPs shall be twenty-three dollars and ninety-six cents (\$23.96) per hour. The billable unit for fifteen (15) minutes is five dollars and ninety-nine cents (\$5.99) per fifteen (15) minute billable increment for at least eight (8) continuous minutes.

Section 1999, DEFINITIONS, is amended by adding the following:

Advance Practice Registered Nurse (APRN) or Nurse-Practitioner (NP) - An individual who is licensed to practice nursing pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1202 *et seq.*), or licensed to practice nursing in the jurisdiction where the services are being provided.

Behavior Management Specialist - An individual who has the training and experience in the theory and technique of changing the behavior of individuals to enhance their learning of life skills and adaptive behaviors, and to decrease maladaptive behaviors, and who works under the supervision of a licensed practitioner.

Board Certified Behavior Analyst - An individual with at least a Master's Degree and a certificate from the Behavioral Analyst Certification Board (BCABA), in the jurisdiction where the credential is accepted.

Board Certified Assistant Behavior Analyst - An individual with at least a Bachelor's Degree and a certificate from the Behavioral Analyst Certification Board (BCABA), in the jurisdiction where the credential is accepted.

Diagnostic Assessment Report – A report that summarizes the person's psychological and behavioral functioning to determine whether the person may benefit from a Behavioral Support Plan based upon the person's presenting problems and individual goals.

Fade-out plan - A plan used by providers to ensure that the restrictive technique or processes utilized are gradually and ultimately eliminated in the person's plan of care.

Functional Behavioral Analysis – A comprehensive and individualized process for identifying events that precede and follow a target behavior in order to develop hypotheses regarding the purpose of the target behavior and identify positive changes to be made.

Licensed Independent Clinical Social Worker - An individual who is licensed to practice social work pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1208 *et seq.*) or licensed to practice social work in the jurisdiction where the services are being provided.

Licensed Graduate Social Worker - An individual who is licensed to practice social work pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C.

Official Code §§ 3-1208 *et seq.*) or licensed to practice social work in the jurisdiction where the services are being provided.

Licensed Independent Social Worker - An individual who is licensed to practice social work pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1208 *et seq.*) or licensed to practice social work in the jurisdiction where the services are being provided.

Licensed Professional Counselor - An individual who is licensed to practice counseling pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1207 *et seq.*) or licensed to practice counseling in the jurisdiction where the services are being provided.

Mental Health Habilitation Services – Mental health services provided by a Department of Behavioral Health (DBH) certified community mental health provider to consumers to assist consumers in partially or fully acquiring or improving skills and functioning in accordance with the District of Columbia State Medicaid Plan, the DHCF/DBH Interagency Agreement, and Chapter 34 of Title 22-A DCMR.

Positive behavioral support strategies – An alternative to traditional or punitive approaches for managing challenging behaviors that focuses on changing the physical and interpersonal environment and increasing skills so that the person is able to get his/her needs met without having to resort to challenging behavior.

Proactive strategies – Specific interventions such as staff actions or environmental modifications that prevent the occurrence of target behaviors.

Psychiatrist - An individual licensed to practice psychiatry pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1202 *et seq.*) or licensed as a psychiatrist in the jurisdiction where the services are being provided.

Psychologist - An individual licensed to practice psychology pursuant to the District of Columbia Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code §§ 3-1202 *et seq.*) or licensed as a psychologist in the jurisdiction where the services are being provided.

Target behavior - The challenging behaviors to be addressed by staff.

DEPARTMENT OF MOTOR VEHICLES

NOTICE OF FINAL RULEMAKING

The Director of the Department of Motor Vehicles (“Director”), pursuant to the authority set forth in Sections 6, 7, and 8a of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code §§ 50-2201.03, 50-1401.01 and 50-1401.03 (2014 Repl.)), Section 8c of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.05 (2014 Repl. & 2015 Supp.)), and Mayor’s Order 2014-153, dated June 27, 2014, hereby gives notice of adoption of the following rulemaking that amends Chapter 1 (Issuance of Driver Licenses) of Title 18 (Vehicles and Traffic) of the District of Columbia Municipal Regulations (“DCMR”).

The proposed rules give the Director the authority to add documents required in order to establish residency.

No comments were received and no changes were made to the text of the proposed rules, as published with a notice of proposed rulemaking in the *D.C. Register* at 63 DCR 005767 on April 15, 2016. Pursuant to Section 8c of the District of Columbia Traffic Act of 1925, approved March 3, 1925 (43 Stat. 1121; D.C. Official Code § 50-1401.05 (2014 Repl. & 2016 Supp.)) the proposed rules were submitted to the Council of the District of Columbia ("Council") for a forty-five (45) day period of review (excluding weekends, holidays and days of Council recess). The forty-five (45) day period of review expired on June 9, 2016 and no resolution of disapproval has been introduced. Therefore, the rules are deemed approved.

The final rules were adopted on June 10, 2016 and will be effective upon publication of this notice in the *D.C. Register*.

Chapter 1, ISSUANCE OF DRIVER LICENSES, of Title 18 DCMR, VEHICLES AND TRAFFIC, is amended as follows:

Section 114, LIMITED PURPOSE DRIVER LICENSE, LEARNER PERMIT, PROVISIONAL PERMIT OR IDENTIFICATION CARD, is amended as follows:

Subsection 114.5 is amended by adding a new paragraph (l) to read as follows:

114.5 Except as stated otherwise, each applicant shall provide two of the documents set forth below in order to establish present residency:

...

- (l) Any other documents deemed acceptable by the Director through written approval.

Subsection 114.6 is amended by adding a new paragraph (k) to read as follows:

114.6 Except as stated otherwise, each applicant shall provide two of the documents set forth below which are dated at least six (6) months prior to the date of application:

...

- (k) Any other documents deemed acceptable by the Department of Motor Vehicles through written approval.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF PROPOSED RULEMAKING

Electronic Waste

The Director of the Department of Energy and Environment (DOEE or Department), pursuant to the authority set forth in the District Department of the Environment Establishment Act of 2005, effective February 15, 2006 (D.C. Law 16-51; D.C. Official Code §§ 8-151.01 *et seq.* (2013 Repl. & 2016 Supp.)); the Sustainable Solid Waste Management Amendment Act of 2014, effective February 26, 2015 (D.C. Law 20-154; D.C. Official Code §§ 8-1041.01 *et seq.* (2016 Supp.)); and Mayor’s Order 2015-250, dated December 8, 2015, hereby gives notice of proposed amendments to Title 20 (Environment) of the District of Columbia Municipal Regulations (DCMR) by adopting a new Chapter 41 (Electronic Waste) to establish standards for electronic waste.

This rulemaking establishes requirements for electronic equipment manufacturers, who sell the equipment in the District of Columbia. Specifically, the rulemaking sets a *de minimis* limit that exempts certain entities from electronic waste statutory and regulatory requirements, includes additional requirements for annual registration applications, revises registration fees, and revises shortfall fees if a manufacturer or partnership does not meet collection rates.

The Department also hereby gives notice of the intent to take final rulemaking action to adopt these proposed rules in not less than forty-five (45) days after the publication of this notice of proposed rulemaking in the *D.C. Register*. Directions for submitting comments may be found at the end of this notice.

Title 20 DCMR, ENVIRONMENT, is amended by adding a new Chapter 41 as follows:

CHAPTER 41 ELECTRONIC WASTE

- 4100 REQUIREMENTS FOR ELECTRONIC MANUFACTURERS**
- 4101 ELECTRONIC MANUFACTURER RECORDKEEPING**
- 4102 REGISTRATION AND SHORTFALL FEES**
- 4103 ENFORCEMENT**
- 4104 ADMINISTRATIVE APPEALS AND JUDICIAL REVIEW**
- 4199 DEFINITIONS**

4100 REQUIREMENTS FOR ELECTRONIC MANUFACTURERS

4100.1 The rules in this chapter apply to manufacturers, partnerships, and representative organizations, as defined in § 4199.1.

4100.2 A manufacturer that sells less than one hundred (100) covered electronic equipment units in the District in the most recent reporting year shall:

- (a) Be exempt from labeling covered electronic equipment with a readily visible brand identifying the manufacturer;
- (b) Be exempt from submitting an application for registration, pursuant to D.C. Official Code § 8-1041.03(b); and
- (c) Submit a completed application for exemption form prescribed by the Department that shall include:
 - (1) Relevant manufacturer contact information;
 - (2) A list of brand names sold by the manufacturer in the District; and
 - (3) Any other information needed in order for the Department to determine whether the applicant qualifies for the exemption.

4100.3 When submitting an annual exemption form, an annual registration application, or ensuring compliance with an applicant's minimum collection share, the applicant shall calculate the weight and units of covered electronic equipment sold in the District by:

- (a) Using District sales data; or
- (b) Multiplying the weight or units of covered electronic equipment sold nationally with the quotient of the District's population divided by the national population. Populations shall be estimated by using the most recent estimates provided by the United States Census Bureau.

4100.4 Registration submitted in accordance with D.C. Official Code § 8-1041.03 shall be on a form prescribed by the Department.

4100.5 When a representative organization submits an implementation plan to the Department according to D.C. Official Code § 8-1041.03(b)(9), the applicant shall calculate the market share percentage of each manufacturer in the representative organization by:

- (a) Using District sales data; or
- (b) Multiplying the weight or units of covered electronic equipment sold nationally with the quotient of the District's population divided by the national population. Populations shall be estimated by using the most recent estimates provided by the United States Census Bureau.

4100.6 The Department may request that registration applicants include data on covered electronic equipment sold in the District broken down by category of covered

electronic equipment. If the Department requests such data, the applicant shall provide the units sold in each category and the collective weight of the units sold in each category.

- 4100.7 An applicant that discloses the end markets and electronic recyclers utilized in the previous calendar year shall include the contact information of the electronic recyclers.
- 4100.8 The Department may request that manufacturers submitting a registration application include additional information or data needed to implement the Act or this chapter.
- 4100.9 In accordance with D.C. Official Code § 8-1041.03(b)(8), the Department shall publish on its website a list of third-party accreditation certifications recognized by the Department.
- 4100.10 If more than one person is a manufacturer of a covered electronic equipment unit, any such person may assume the registration obligations of the Act or this chapter, however, if no such person assumes responsibility for the registration obligations, any and all such persons may be considered jointly and severally responsible for the registration obligations.
- 4100.11 In accordance with D.C. Official Code § 8-1041.07, the Department shall publish on its website a list of approved covered electronic equipment disposal methods.

4101 ELECTRONIC MANUFACTURER RECORDKEEPING

- 4101.1 Manufacturers shall maintain records used to prepare annual applications for registration, pursuant to D.C. Official Code § 8-1041.03(b), or exemption, pursuant to § 4100.2, for three (3) years.
- 4101.2 The Department may inspect, request, and obtain from a manufacturer any record, including reports, electronic records, or any other document, that is subject to § 4101.1.

4102 REGISTRATION AND SHORTFALL FEES

- 4102.1 Manufacturers, representative organizations, and partnership organization shall include the following registration fee when submitting an annual registration application:
- (a) For an individual manufacturer that sold at least one hundred (100) units but less than two hundred and fifty (250) units of covered electronic equipment in the District in the previous year, the individual manufacturer's application for registration under D.C. Official Code § 8-

1041.03 shall be accompanied by a registration fee of fifteen hundred dollars (\$1,500);

- (b) For an individual manufacturer that sold two hundred and fifty (250) or more units of covered electronic equipment in the District in the previous year, the individual manufacturer's application for registration under D.C. Official Code § 8-1041.03 shall be accompanied by a registration fee of three thousand dollars (\$3,000); and
- (c) A representative organization's application for registration under D.C. Official Code § 8-1041.03 shall be accompanied by a registration fee of ten thousand dollars (\$10,000).
- (d) A partnership's application for registration under D.C. Official Code § 8-1041.03 shall be accompanied by a registration fee equal to the sum of its member manufacturers' registration fees, or thirty thousand dollars (\$30,000), whichever is less.

4102.2 Beginning January 1, 2017, if a manufacturer or partnership did not comply with D.C. Official Code § 8-1041.05(a)(1) or (2) in the previous calendar year, the manufacturer's or partnership's application for registration under § 8-1041.03 shall be accompanied by a shortfall fee:

- (a) The fee for manufacturers or partnerships that fall short of their minimum collection share by less than or equal to ten percent (10%) shall be calculated by multiplying the total shortfall weight, in pounds, by forty cents (\$ 0.40);
- (b) The fee for manufacturers or partnerships that fall short of their minimum collection share by more than ten percent (10%) but less than or equal to fifty percent (50%) shall be calculated by multiplying the total shortfall weight, in pounds, by fifty cents (\$ 0.50); and
- (c) The fee for manufacturers or partnerships that fall short of their minimum collection share by more than fifty percent (50%) shall be calculated by multiplying the total shortfall weight, in pounds, by sixty cents (\$ 0.60).

4102.3 Beginning in 2017, the Department may annually adjust registration application fees and shortfall fees based on the change in the Consumer Price Index value published by the U.S. Department of Labor for all-urban consumers.

4102.4 If a manufacturer or partnership counts the collection of a single item of covered electronic equipment as twice its weight when that item is donated free of charge for reuse to the District's public or charter schools, to public or charter schools in counties adjoining the District, or to any nonprofit organization with a principal

mission of assisting low-income children or families per D.C. Official Code § 8-1041.05(b)(2), the Department may request from the manufacturer or partnership:

- (a) Documentation of the donation, which shall include the recipient's written acceptance of the donation on a form stating that the covered electronic equipment is:
 - (1) No more than three (3) years old; and
 - (2) In full working condition;
- (b) The name and address of the recipient school or organization; and
- (c) Relevant contact information from the recipient school or organization.

4103 ENFORCEMENT

- 4103.1 Violation of any of the requirements of this chapter or the Act shall subject a person to the penalties set forth in Title 16, Chapter 40 of the District of Columbia Municipal Regulations.
- 4103.2 The Department may enforce a violation of this chapter or the Act by issuing a Notice of Violation.
- 4103.3 Each instance or day of a violation of each provision of this chapter shall be a separate violation.

4104 ADMINISTRATIVE APPEALS AND JUDICIAL REVIEW

- 4104.1 A person adversely affected by an enforcement action of the Department shall exhaust administrative remedies by timely filing an administrative appeal with, and requesting a hearing before, the Office of Administrative Hearings (OAH), established pursuant to the Office of Administrative Hearings Establishment Act of 2001, effective March 6, 2002 (D.C. Law 14-76; D.C. Official Code, §§ 2-1831.01 *et seq.*), or OAH's successor.
- 4104.2 The appeal to OAH shall be filed in writing within fifteen (15) calendar days of service, or twenty (20) calendar days if service is made by United States mail.
- 4104.3 The Department may toll a period for filing an administrative appeal with OAH if it does so explicitly in writing before the period expires.
- 4104.4 OAH shall:
 - (a) Resolve a notice of violation by:

- (1) Affirming, modifying, or setting aside the Department’s action complained of, in whole or in part;
 - (2) Remanding for Department action or further proceedings, consistent with OAH’s order; or
 - (3) Providing such other relief as the governing statutes, regulations, and rules support;
- (b) Act with the same jurisdiction, power, and authority as the Department may have for the matter currently before OAH; and
 - (c) Render a final decision that shall constitute a final agency action subject to judicial review.

4104.5 The filing of an administrative appeal shall not in itself stay enforcement of an action, except that a person may request a stay according to the rules of OAH.

4104.6 The burden of production in an appeal of an action of the Department shall be allocated to the person who appeals the action, except that it shall be allocated:

- (a) To the party who asserts an affirmative defense; and
- (b) To the party who asserts an exception to the requirements or prohibitions of a statute or rule.

4104.7 The final OAH decision on an administrative appeal shall thereafter constitute the final, reviewable action of the Department, and shall be subject to the applicable statutes and rules of judicial review for OAH final orders.

4104.8 Nothing in this chapter shall be interpreted to:

- (a) Provide that a filing of a petition for judicial review stays enforcement of an action; or
- (b) Prohibit a person from requesting a stay of the OAH proceedings according to the rules of the court.

4199 DEFINITIONS

4199.1 When used in this chapter or Title I, Subtitle B of the Sustainable Solid Waste Management Amendment Act of 2014, the following words or phrases shall have the meaning as described (some of the definitions were codified in the Act, indicated as [Statutory], and are reprinted below for regulatory efficiency):

Act - Title I, Subtitle B of the Sustainable Solid Waste Management Amendment Act of 2014 (D.C. Law 20-154; D.C. Official Code §§ 8-1041.01 *et seq.*).

Brand - a manufacturer's name, brand designation, make or model name or number, or other nomenclature by which covered electronic equipment is offered for sale by a manufacturer. [Statutory]

Computer - an electronic, magnetic, optical, electrochemical or other high-speed data processing device performing a logical, arithmetic, or storage function, including a laptop computer or other portable computer, desktop computer, and includes any cable, cord, or wiring permanently affixed to or incorporated into such product, and may include a computer central processing unit; but such term shall not include an automated typewriter or typesetter, a portable hand-held calculator, server, or other similar device. Computer also means a small-scale server, portable digital music players that have memory capability and are battery-powered, or other similar devices.

Computer monitor and display devices - a type of separate visual display component that can be used with a computer, whether sold separately or together with a computer central processing unit, and includes a cathode ray tube, liquid crystal display, gas plasma, digital light processing or other image projection technology, or other similar device, with a display greater than six inches when measured diagonally, and its case, interior wires and circuitry, and any cable cord or wiring permanently affixed thereto or incorporated into such product.

Computer peripheral - any device that is sold primarily for external use with a computer and that provides input into or output from a computer, including: electronic keyboards; electronic mouse or other pointing device; printers; multi-function imaging equipment containing printers, which does not weigh more than one hundred (100) pounds; game controllers used in conjunction with computers; external hard drives; flash drives; speakers for use with computers; computer monitors and display devices; or other similar devices; and any cable, cord, or wiring permanently affixed to or incorporated into any such product.

Covered electronic equipment - computers and computer peripherals, including keyboards, electronic pointing devices, printers, computer monitors and display devices, laptops or other portable computers, and portable digital music players that have memory capability and are battery-powered, televisions, and television peripherals. The term "covered electronic equipment" does not include a motor vehicle, part of a motor vehicle, or a component part of a motor vehicle assembled by, or for, a vehicle manufacturer or franchised dealer, including replacement parts for use in a

motor vehicle; telephones of any type, including mobile telephones, a personal digital assistant, a global positioning system, or a hand-held gaming device, household appliances, or covered electronic equipment that is contained within a clothes washer, clothes dryer, refrigerator, refrigerator and freezer, microwave oven, conventional oven or range, dishwasher, room air conditioner, dehumidifier, air purifier, water heater, or exercise equipment, equipment that is functionally or physically part of a larger piece of equipment intended for use in an industrial, research and development or commercial setting, security or anti-terrorism equipment, monitoring and control instrument or system, thermostat, hand-held transceiver, server other than a small-scale server, cash register or retail self-checkout system, stand-alone storage product intended for use in industrial, research and development, or commercial settings, medical equipment that contains a cathode ray tube, a flat panel display or similar video display device, and that is not separate from the larger piece of medical equipment, or other medical devices as defined under the Federal Food, Drug, and Cosmetic Act. [Statutory]

Covered electronic equipment stewardship program - a recycling effort for covered electronic equipment established by a manufacturer, partnership, or representative organization. [Statutory]

Department - the Department of Energy and Environment or its successor agency.

Household - an individual or two (2) or more persons who reside together in a housing unit.

Laptop computer or other portable computer - a computer and display greater than six inches when measured diagonally that can be carried as one unit by an individual, including a laptop computer, tablet, e-reader, digital picture frames, or other similar devices.

Manufacturer - a person who:

- (A) Manufactures, imports, assembles, or substantially assembles covered electronic equipment for sale in the District by means of retail, wholesale, or electronic commerce, under its own or another brand name or label, or without affixing a brand name or label;
- (B) Sells in the District by means of retail, wholesale, or electronic commerce, under its own brand name or label, covered electronic equipment produced by another person; or
- (C) Owns a brand name or label that it licenses to another person for use on covered electronic equipment sold in the District by means

of retail, wholesale, or electronic commerce. [Statutory]

Market share - the total pounds of covered electronic equipment sold by a manufacturer to District residents and businesses in the previous year divided by the total pounds of all covered electronic equipment sold to District residents and businesses in the previous year. [Statutory]

Minimum collection shares - the amount, in pounds, of covered electronic equipment, as calculated under D.C. Official Code § 8-1041.05(b)(1), that a manufacturer shall collect and recycle or arrange for the collection and recycling or reuse.

Mobile phone - a telephone that converts sound into multiple-access packets, including, but not limited to, Code-Division Multiple Access (CDMA, Global System for Mobile Communications (GSM, and fourth generation long term evolution (4G LTE or VoLTE), for transmission through a cellular network, which may be marketed as a phone, cellphone, mobile phone, or smartphone. A computer, including portable computer or tablet, that is capable of making calls through Voice over IP (VoIP is not a mobile phone.

Partnership - an organization of manufacturers created to work together to meet the total minimum collection shares of its member manufacturers under D.C. Official Code § 8-1041.05(a)(2). [Statutory]

Representative organization - an organization created to provide convenient collection service to District residents under D.C. Official Code § 8-1041.05(a)(3) and to develop and oversee implementation of a District plan consisting of one or more covered electronic equipment stewardship programs in the District. A representative organization may also oversee plans in other jurisdictions. [Statutory]

Retailer - a person engaged in retail sales. [Statutory]

Reuse - a process by which covered electronic equipment or a component of covered electronic equipment is used for the same purpose for which it was originally purchased. [Statutory]

Sale or sold - any transfer of the absolute title to property for a certain agreed price, from a manufacturer or retailer, including, but not limited to, transactions conducted through retail sales outlets, catalogs, mail, the telephone, the internet, or any electronic means; this includes the transfer of title of new products or used products that may have been refurbished by the manufacturer or a manufacturer-approved party, but does not include consumer-to-consumer second-hand transfer, the transfer of used

covered electronic equipment or a lease of covered electronic equipment, or wholesale transactions among a manufacturer, wholesaler, and retailer.

Small business - a corporation, partnership, sole proprietorship, or other legal entity that:

- (A) Is formed to make a profit;
- (B) Is independently owned and operated; and
- (C) Employs fewer than one-hundred (100) full-time employees.

Small nonprofit organization - an organization or institution that:

- (A) Is exempt from federal income tax under the provisions of 26 U.S.C. § 501(c)(3) and that meets the requirements of Chapter 4 of Title 29 of the D.C. Official Code;
- (B) Is independently owned and operated; and
- (C) Employs fewer than one-hundred (100) full-time employees.

Small-scale server - a computer that typically uses desktop components in a desktop form factor, but is designed primarily to be a storage host for other computers and for an industry accepted operating system for home or low-end server applications. To be considered a small-scale server, a computer must have the following characteristics: designed in a pedestal, tower, or other form factor similar to those of desktop computers such that all data processing, storage, and network interfacing is contained within one box or product; intended to be operational twenty four hours per day and seven days a week, and unscheduled downtime is extremely low,[such as on the order of hours per year]; and is capable of operating in a simultaneous multi-user environment serving several users through networked client units.

Telephone - a commercially available electronic product whose primary purpose is to transmit and receive sound over a distance using a voice or data network.

Television - a display system containing a cathode ray tube, flat panel, or any other type of display primarily intended to receive video programming via broadcast, cable, or satellite transmission, and which has a display greater than six inches when measured diagonally.

Television peripheral - devices attached to and used in conjunction with televisions, including video cassette recorders (VCR), digital video

recorders (DVR), digital video disc players (DVD), electronic or video game systems, game controllers, signal converter boxes, cable receivers, satellite receivers, digital media receivers or set top boxes, or other similar devices, and includes any cable, cord, or wiring permanently affixed to or incorporated into any such product.

The proposed rules are available for viewing at: <http://doee.dc.gov/ecycle>. Additionally, a copy of these proposed rules can be obtained for viewing at the Martin Luther King, Jr. Library, 901 G St., N.W., Washington, D.C. 20001, during normal business hours.

All persons desiring to comment on the proposed regulations should file comments in writing no later than forty-five (45) days after the publication of this notice in the *D.C. Register*. Comments should identify the commenter and be clearly marked “DOEE Electronics Proposed Rule Comments.” Comments may be (1) mailed or hand-delivered to DOEE, 1200 First Street N.E., 5th Floor, Washington, D.C. 20001, Attention: DOEE Electronics Regulations, or (2) sent by e-mail to productstewardship@dc.gov, with the subject indicated as “DOEE Electronics Proposed Rule Comments.”

ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED RULEMAKING

Z.C. Case No. 16-08

(Text Amendment - 11 DCMR)

(Continuation of Conforming Status of Certain Multiple Dwellings in Squares 2580, 2581, 2582, 2583, 2584, 2586W, 2587, and 2589)

The Zoning Commission for the District of Columbia, (Commission) pursuant to its authority under § 1 of the Zoning Act of 1938, approved June 20, 1938 (52 Stat. 797), as amended; D.C. Official Code § 6-641.01 (2012 Rep1.), hereby gives notice of its intent to amend Subtitle U, § 301.1 of the version of the Zoning Regulations that will become effective on September 6, 2016 (Title 11 DCMR, Zoning Regulations of 2016). The 2016 Regulations were adopted by the Commission through a Notice of Final Rulemaking published in Part II of the March 4, 2016 edition of the *District of Columbia Register*.

The proposed amendment identifies the circumstances that a multiple dwelling in Squares 2580, 2581, 2582, 2583, 2584, 2586W, 2587, or 2589 will be deemed a matter-of-right use in the RF zone and the circumstances under which the building may be expanded. In Z.C. Case No. 15-09, the Commission recently adopted a map amendment rezoning the properties from the current R-5-B Zone District to the R-4 Zone District and re-designating the properties' future zoning district from RA-2 to RF. Multiple dwellings are not permitted as a matter of right in either the current R-4 or the future RF zone.

Chapter 3, USE PERMISSIONS RESIDENTIAL FLATS (RF) ZONES, of Title 11-U DCMR, USE PERMISSIONS, is amended as follows:

§ 301, MATTER-OF-RIGHT USES (RF), § 301.1, is amended by adding a new paragraph (l) to read as follows (additions are shown in bold underlined text and deletions are shown in strikethrough text):

301.1 The following uses shall be permitted as a matter of right in an RF zone subject to any applicable conditions:

...

(j) Any uses permitted within a District of Columbia former public school building subject to the matter-of-right conditions of Subtitle U § 252; ~~and~~

(k) Medical care uses; ~~and~~ **and**

(l) A multiple dwelling in Squares 2580, 2581, 2582, 2583, 2584, 2586W, 2587, or 2589, in existence as of December 14, 2015 with a valid certificate of occupancy, or a building permit application for a multiple dwelling that was officially accepted by DCRA as being complete prior to December 14, 2015, provided that the multiple dwelling shall not be expanded in gross floor area, lot occupancy, number of stories, building height, penthouse height, or number of

units. Said multiple dwelling, however, may be repaired, renovated, remodeled, or structurally altered.

Final rulemaking action shall be taken not less than thirty (30) days from the date of publication of this notice in the *D.C. Register*.

All persons desiring to comment on the subject matter of this proposed rulemaking action should file comments in writing no later than thirty (30) days after the date of publication of this notice in the *D.C. Register*. Comments should be filed with Sharon Schellin, Secretary to the Zoning Commission, Office of Zoning, through the Interactive Zoning Information System (IZIS) at <http://app.dcoz.dc.gov/Login.aspx>; however, written statements may also be submitted by mail to 441 4th Street, N.W., Suite 200-S, Washington, D.C. 20001; by e-mail to zcsubmissions@dc.gov; or by fax to (202) 727-6072. Ms. Schellin may be contacted by telephone at (202) 727-6311 or by email at Sharon.Schellin@dc.gov. Copies of this proposed rulemaking action may be obtained at cost by writing to the above address.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2016-096
June 30, 2016

SUBJECT: Appointment — Acting Director, Department of For-Hire Vehicles

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. No. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), and in accordance with the District of Columbia Taxicab Commission Establishment Act of 1985, effective March 25, 1986, D.C. Law 6-97, D.C. Official Code § 50-301.01 *et seq.*, as amended by Section 401(e) of Title IV of the Transportation Reorganization Amendment Act of 2016, effective June 22, 2016, D.C. Act 21-378, 63 DCR 7076 (May 13, 2016), it is hereby **ORDERED** that:

1. **ERNEST CHRAPPAH** is appointed Acting Director of the Department of For-Hire Vehicles, and shall serve in that capacity at the pleasure of the Mayor.
2. This Order supersedes Mayor's Order 2015-263, dated December 31, 2015.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to June 28, 2016.


MURIEL BOWSER
MAYOR

ATTEST: 
LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM


Mayor's Order 2016-097
July 20, 2016

SUBJECT: Appointments — Rental Housing Commission


ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia by section 422(2) of the District of Columbia Home Rule Act, approved December 24, 1973, 87 Stat. 790, Pub. L. 93-198, D.C. Official Code § 1-204.22(2) (2014 Repl.), and in pursuant to section 201 of the Rental Housing Act of 1985, effective July 17, 1985, D.C. Law 6-10; D.C. Official Code § 42-3502.01 (2012 Repl.), which established the Rental Housing Commission, and in accordance with section 2 of the Confirmation Act of 1978, effective March 3, 1979, D.C. Law 2-142; D.C. Official Code § 1-523.01 (2014 Repl. and 2015 Supp.), it is hereby **ORDERED** that:

1. **MICHAEL SPENCER** pursuant to the Rental Housing Commission Michael Spencer Confirmation Resolution of 2016, effective July 12, 2016, Resolution 21-560, is appointed as a member of the Rental Housing Commission, replacing Ronald A. Young, for a term to end July 18, 2018.
2. **DIANA EPPS** pursuant to the Rental Housing Commission Diana Epps Confirmation Resolution of 2016, effective July 12, 2016, Resolution 21-561, is appointed as a member and Chair of the Rental Housing Commission, replacing Claudia McKoin, for a term to end July 18, 2019.
3. **EFFECTIVE DATE:** This Order shall be effective *nunc pro tunc* to the date of confirmation.



MURIEL BOWSER
MAYOR

ATTEST: 

LAUREN C. VAUGHAN
SECRETARY OF THE DISTRICT OF COLUMBIA

ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD

NOTICE OF PUBLIC HEARINGS
CALENDAR

WEDNESDAY, AUGUST 3, 2016
2000 14TH STREET, N.W., SUITE 400S
WASHINGTON, D.C. 20009

Donovan W. Anderson, Chairperson
Members: Nick Alberti, Mike Silverstein,
Ruthanne Miller, James Short

- Protest Hearing (Status)** **9:30 AM**
Case # 16-PRO-00072; Piassa, Inc., t/a Piassa Ethiopian Cuisine & Café
1336 9th Street NW, License #102178, Retailer CR, ANC 2F
Application for a New License
- Protest Hearing (Status)** **9:30 AM**
Case # 16-PRO-00042; Roof Top DC, LLC, t/a Bar Deco, 717 6th Street NW
License #97418, Retailer CR, ANC 2C
Application to Renew the License
- Show Cause Hearing (Status)** **9:30 AM**
Case # 16-251-00078; Gebtri, Inc., t/a Cedar Hill Bar & Grill/Uniontown Bar &
Grill, 2200 Martin Luther King, JR Ave SE, License #91887, Retailer CT
ANC 8A
**Allowed Establishment to be Used for Unlawful or Disorderly Purposes,
Violation of Settlement Agreement, Failed to Preserve a Crime Scene,
Failed or Refused to Allow MPD to Enter Without Delay**
- Show Cause Hearing (Status)** **9:30 AM**
Case # 16-CMP-00363; MYRB Corporation, t/a Gernium Market, 7350
Georgia Ave NW, License #60723, Retailer B, ANC 4A
Failed to Make a Copy of Settlement Agreement Immediately Accessible
- Show Cause Hearing (Status)** **9:30 AM**
Case # 16-AUD-00039; Bar Di Bari, LLC, t/a Red Light, 1401 R Street NW
License #90488, Retailer CR, ANC 2F
Failed to Meet Food Sales Requirements
- Show Cause Hearing (Status)** **9:30 AM**
Case # 16-CMP-00339; SBI, LLC, t/a Touchdown, 1334 U Street NW, License
#89069, Retailer B, ANC 1B
Change of Trade Name Without Board Approval

Board's Calendar
August 3, 2016

Show Cause Hearing (Status) 9:30 AM
Case # 16-CMP-00322; Restaurant Enterprises, Inc., t/a Smith Point, 1338 Wisconsin Ave NW, License #60131, Retailer CT, ANC 2E
Substantial Change without Board Approval, Provided Entertainment Without an Entertainment Endorsement (Two Count)

Show Cause Hearing (Status) 9:30 AM
Case # 16-CMP-00404; Askali Yaregal, t/a Gedera Market, 4600 14th Street NW, License #89069, Retailer B, ANC 4C
No ABC Manager on Duty

Show Cause Hearing (Status) 9:30 AM
Case # 16-CMP-00210; Green Island Heaven and Hell, Inc., t/a Green Island Café/Heaven, 2327 18th Street NW, License #74503, Retailer CT, ANC 1C
No ABC Manager on Duty

Show Cause Hearing (Status) 9:30 AM
Case # 16-CMP-00357; Fuel 1747 Penn., LLC, t/a Custom Fuel/Fuel Pizza 1747 Pennsylvania Ave NW, License #92719, Retailer CR, ANC 2B
No ABC Manager on Duty, Failed to Frame and Post the License in a Conspicuous Place

Show Cause Hearing* 10:00 AM
Case # 15-CMP-00997; DC Irish, LLC, t/a Sign of the Whale, 1825 M Street NW, License #85120, Retailer CT, ANC 2B
Substantial Change without Board Approval

BOARD RECESS AT 12:00 PM
ADMINISTRATIVE AGENDA AT 1:00 PM

Show Cause Hearing* 1:30 AM
Case # 16-251-00087; Terfneh Kahsay, t/a Salina Restaurant, 1936 9th Street NW, License #82969, Retailer CT, ANC 1B
Allowed Establishment to be Used for Unlawful or Disorderly Purposes, Failed to Preserve a Crime Scene, Change of Trade Name Without Board Approval (Two Counts), Transfer of Ownership Without Board's Approval, Failed to Surrender the License for Safekeeping

***The Board will hold a closed meeting for purposes of deliberating these hearings pursuant to D.C. Official Code §2-574(b)(13).**

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
INVESTIGATIVE AGENDA**

**WEDNESDAY, AUGUST 3, 2016
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

On August 3, 2016 at 4:00 pm, the Alcoholic Beverage Control Board will hold a closed meeting regarding the matters identified below. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will be closed “to plan, discuss, or hear reports concerning ongoing or planned investigations of alleged criminal or civil misconduct or violations of law or regulations.”

1. Case#16-CMP-00503 The Alibi, 237 2nd St. N.W., Retailer CR, License # ABRA-097969

2. Case#16-CMP-00504 Dukem Ethiopian Restaurant & Market/Apple Lounge, 1114-1118 U St. N.W. Retailer CR, and License #ABRA-072469

3. Case#16-CC-00062, DC Reynolds, 3628 Georgia Avenue N.W., Retailer CT, License # ABRA-087045

4. Case#16-CMP-00526, Pho Eurasian, 2153 P St. N.W., Retailer CR, License # ABRA-081175

5. Case#16-CC-00071, Capitol City Wine & Spirits, 500 K St. N.W., Retailer B, License # ABRA-076858

**ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
ALCOHOLIC BEVERAGE CONTROL BOARD**

**NOTICE OF MEETING
LICENSING AGENDA**

**WEDNESDAY, AUGUST 3, 2016 AT 1:00 PM
2000 14TH STREET, N.W., SUITE 400S, WASHINGTON, D.C. 20009**

1. Review Request for Change of Hours. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption on Premise:* Sunday-Thursday 12pm to 10pm, Friday-Saturday 12pm to 10:30pm. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café:* Sunday-Thursday 5pm to 10pm, Friday-Saturday 5pm to 10:30pm. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption on Premise:* Sunday-Saturday 10am to 1am. *Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Sidewalk Café:* Sunday-Saturday 10am to 12am. ANC 1C. SMD 1C04. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Mama Ayesha's Calvert Restaurant*, 1967 Calvert Street NW, Retailer CR, License No. 000753.

2. Review Request for Change of Hours. *Approved Hours of Operation:* Saturday-Sunday 8am to 6pm, Monday-Friday 6:30am to 9pm. *Approved Hours of Alcoholic Beverage Sales:* No sales on Sunday, Monday-Friday 9am to 9pm, Saturday 9am to 6pm. *Proposed Hours of Operation:* Sunday closed, Monday-Thursday 6am to 10pm, Friday 6am to 12am, Saturday 7am to 12am. *Proposed Hours of Alcoholic Beverage Sales:* Sunday no sales, Monday-Thursday 9am to 10pm, Friday-Saturday 9am to 12am. ANC 2A. SMD 2A06. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. *Orange Spoon*, 1255 23rd Street NW, Retailer A, License No. 102373.

3. Review Request for Change of Hours. *Approved Hours of Operation and Alcoholic Beverage Sales and Consumption on Premise and for Sidewalk Café:* Sunday-Thursday 11am to 2am, Friday-Saturday 11am to 3am. *Proposed Hours of Operation on Premise:* Sunday-Saturday 7am to 12am. *Proposed Hours of Operation for Sidewalk Café:* Sunday-Saturday 7am to 11pm. *Proposed Hours of Alcoholic Beverage Sales and Consumption on Premise:* Sunday-Saturday 8am to 12am. *Proposed Hours of Alcoholic Beverage Sales and Consumption for Sidewalk Café:* Sunday-Saturday 8am to 11pm. ANC 6B. SMD 6B03. Pending Enforcement Matter: Case #16-CMP-00328, 4/5/16 – Substantial Change in Operation must be approved (Sale and Operation Hours), referred to staff for settlement on 5/18/16. No outstanding fines/citations. No conflict with Settlement Agreement. *Ted's Bulletin*, 505 8th Street SE, Retailer CR, License No. 082569.

4. Review Application for Summer Garden with seating for 18 patrons. ***Proposed Hours of Operation and Alcoholic Beverage Sales and Consumption for Summer Garden:*** Sunday 10am to 11pm, Monday-Thursday 11am to 11:30pm, Friday 11am to 12:30am, Saturday 10am to 12:30am. ANC 1B. SMD 1B02. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No conflict with Settlement Agreement. ***Declaration***, 804 V Street NW, Retailer CR, License No. 099556.
-

5. Review Application for Entertainment Endorsement to offer Live Entertainment. No dancing or cover charge. ***Proposed Hours of Live Entertainment:*** Sunday-Thursday 6pm to 11pm, Friday-Saturday 6pm to 12am. ANC 6E. SMD 6E05. No outstanding fines/citations. No outstanding violations. No pending enforcement matters. No Settlement Agreement. ***Abakedjoint***, 440 K Street NW, Retailer CR, License No. 097479.
-

***In accordance with D.C. Official Code §2-574(b) of the Open Meetings Amendment Act, this portion of the meeting will be closed for deliberation and to consult with an attorney to obtain legal advice. The Board's vote will be held in an open session, and the public is permitted to attend.**

DC MAYOR'S OFFICE ON ASIAN AND PACIFIC ISLANDER AFFAIRS**DC MAYOR'S COMMISSION ON ASIAN AND
PACIFIC ISLANDER AFFAIRS****NOTICE OF REGULAR MEETING**

The DC Mayor's Commission on Asian and Pacific Islander Affairs will be holding its regular meeting on Tuesday, July 19, 2016 at 6:30 pm.

The meeting will be held at the MOAPIA office at One Judiciary Square, 441 4th Street NW, Suite 721N, Washington, DC 20001. The location is closest to the Judiciary Square metro station on the red line of the Metro. All commission meetings are open to the public. If you have any questions about the commission or its meetings, please contact oapia@dc.gov or Esther Kang at esther.kang@dc.gov. Telephone: (202) 727-3120.

The DC Commission on Asian and Pacific Islander Affairs convenes meetings to discuss current issues affecting the DC Asian American and Pacific Islander (AAPI) community.

BRIDGES PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Temporary Staffing Services**

Bridges Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for Temporary Staffing Services.

Please email bids@bridgespcs.org to receive a full RFP offering, with more detail on scope of work and bidder requirements.

Proposals shall be received no later than **5:00 P.M., Friday, August 5, 2016.**

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Bid Administrator
bids@bridgespcs.org

BRIDGES PUBLIC CHARTER SCHOOL**REQUEST FOR PROPOSALS****Transportation Services**

Bridges Public Charter School in accordance with section 2204(c) of the District of Columbia School Reform Act of 1995 solicits proposals for Transportation Services.

All interested and qualified transportation vendors please note proposals are to provide transportation services for daily shuttle routes. Daily service includes one (1) morning bus, one (1) afternoon bus, and one (1) evening bus.

Please email bids@bridgespcs.org to receive a full RFP offering, with more detail on scope of work and bidder requirements.

Proposals shall be received no later than **5:00 P.M., Friday, August 12, 2016.**

Prospective Firms shall submit one electronic submission via e-mail to the following address:

Bid Administrator
bids@bridgespcs.org

CARLOS ROSARIO PUBLIC CHARTER SCHOOL**REQUEST FOR QUOTES****Laptops**

The Carlos Rosario School is looking for competitive prices for 130 new laptops with the following minimum configuration: Intel Core i5 CPU (6th generation) Dual-core Processor; Minimum 8 Gb Memory; Internal Storage Minimum 500 Gb HDD; Optical Drive DVD +/- RW; Interfaces Gigabit LAN and 802.11 a/b/g/n/ac wireless capability, USB, audio, HDMI; Screen Display Ratio 16:9; Webcam built-in; Other features that can be included in the quote that are optional: Touchscreen capability; Extended warranty. All quotes must be submitted via email to Gwen Ellis at gellis@carlosrosario.org no later than Friday, August 5, 2016 by 5:00pm.

CHILD AND FAMILY SERVICES AGENCY**MAYOR'S ADVISORY COMMITTEE ON CHILD ABUSE AND NEGLECT (MACCAN)**

Tuesday – July 26, 2016

10:00 a.m. – 12:00 p.m.

Child and Family Services Agency
200 I Street SE, Conference Room 1001-A
Washington, DC 20003

Agenda

1. Call to Order
2. Ascertainment of Quorum
3. Acknowledgement of Adoption of the Minutes of the June 7, 2016 meeting
4. Report by the Chair and Co-Chair of MACCAN
 - a. Membership Update
 - Returning DYRS member: Garine Dalce, Deputy Director of Youth and Family Programs
 - Vacancies: CFSA
5. Discussion
 - a. Feedback on Presentation “Raising Awareness about Effective Discipline and the Harm of Spanking”
 - b. Draft Strategy Plan
6. Opportunity for Public Comment
7. Adjournment
8. Next Meeting September 27, 2016, 10:00-12:00 pm @ CFSA, **room 1001-A**

If any questions/comments, please contact Roni Seabrook at (202) 724-7076 or roni.seabrook@dc.gov.

OFFICE OF DISABILITY RIGHTS

DC COMMISSION ON PERSONS WITH DISABILITIES (DCCPD)

PUBLIC NOTICE OF MEETING

July 28, 2016, 9:00 AM to 11:00 AM
441 4th St. NW, Ste. 1114
Washington, DC 20001
Toll Free: (866) 628-2987
Passcode: 8488992

Meeting Agenda

Table with 3 columns: Agenda Item, Presenter, and Duration. Items include Welcome and Introductions, Review Agenda and Previous Meeting, Share Health Care Survey Results with HCF, Kali Presentations in Vietnam and Sri Lanka, DC Service Animal Event, Who is an Advocate?, Thanks to Kamilah for Great June Event, Olmstead Conference (June), EEOC Brown Bag, Responsibilities for Mayor's Expo, White Cane Day, Public Comment and Announcements, and Adjourn.

Respectfully Submitted:

Denise M. Decker, PhD
Chair: DC Commission on Persons with Disabilities

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION**Notice of Funding Availability (NOFA)****Dual Enrollment Partnership Grants****Request for Application Release Date: Date August 12, 2016****Application Submission Deadline: September 23, 2016**

The Office of the State Superintendent of Education (OSSE) is pleased to announce a funding opportunity for partnering Local Education Agencies (LEAs) and Institutions of Higher Education (IHEs) providing dual enrollment programming to eligible students in the District during the 2016-2017 academic year.

This funding opportunity is open to all eligible Institutions of Higher Education (IHEs) in partnership with LEAs located in the District of Columbia. The total amount available for this opportunity is \$200,000.00. OSSE anticipates making awards equaling \$450 per student per course to cover books, fees, and transportation. OSSE requires applicants to be a Partnership for this grant initiative. A Partnership is defined as the following:

- A single IHE lead applicant with one or more LEA partners

All partners must submit a signed Partnership Agreement describing programmatic and fiscal responsibilities and confirming commitment to the project. The document will describe how the two (or more) organizations will work together.

The Request for Applications (RFA) for this funding opportunity will be available on **August 12, 2016**. The RFA will be available on OSSE's website <http://osse.dc.gov> or by contacting the Division of Postsecondary & Career Education. OSSE will be holding an information session to answer questions about the RFA and grant competition. Please see the full RFA for a detailed timeline of events.

The Dual Enrollment Partnership grant application will open in the Enterprise Grants Management System (EGMS) Please visit <https://grants.osse.dc.gov> for more information about EGMS and to view the online application.

For additional information and to receive the full RFA after **August 12, 2016**, please contact:

Mike Andrews
Program Manager
Postsecondary & Career Education
Office of the State Superintendent of Education
810 1st Street, NE
Washington, DC 20002
Phone: (202) 481-3485
Email: mike.andrews@dc.gov

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY (NOFA)

FISCAL YEAR 2017

DC Environmental Literacy Advancement Grant (ELAG)

Announcement Date: July 29, 2016

Request for Applications (RFA) Release Date: August 12, 2016

The Office of the State Superintendent of Education (OSSE), Division of Health and Wellness, is soliciting applications for the District's Environmental Literacy Advancement Grant pursuant to the Environmental Literacy Program Amendment Act of 2016, amending the Healthy Schools Act of 2010 (D.C. Law 18-209; D.C. Code § 38-825.02). The Act establishes an environmental literacy program within OSSE to promote environmental literacy in DC public schools and requires OSSE to establish an Environmental Literacy Leadership Cadre, comprised of teachers from DC public schools, which shall be responsible for implementing the DC Environmental Literacy Plan in accordance with OSSE guidance. The purpose of the grant is to increase the capacity of nonprofit and community-based organizations (CBOs) to provide environmental education programs to District schools represented in the 2016 Environmental Literacy Leadership Cadre.

Eligibility: OSSE will make this grant available through a competitive process. Eligible applicants must be nonprofits or CBOs with 501(c)(3) status.

Award Period: The grant period begins October 3, 2016 and ends on September 30, 2017.

Available Funding for Award: The total funding available for this award period is \$350,000.

An external review panel or panels will be convened to review, score, and rank each application. The review panel(s) will be composed of neutral, qualified, professional individuals selected for their expertise, knowledge or related experiences. The application will be scored against a rubric and application will have multiple reviewers to ensure accurate scoring. Upon completion of its review, the panel(s) shall make recommendations for awards based on the scoring rubric(s). OSSE's Division of Health and Wellness will make all final award decisions.

For additional information regarding this grant competition, please contact:

Grace Manubay
Environmental Literacy Coordinator
Division of Health and Wellness
Office of the State Superintendent of Education
Grace.Manubay@dc.gov

The RFA and all supporting documents will be available on <http://grants.osse.dc.gov>, or by contacting Grace Manubay.

OFFICE OF THE STATE SUPERINTENDENT OF EDUCATION

NOTICE OF FUNDING AVAILABILITY

Fiscal Year 2017 Farm Field Trip Grant

Announcement Date: **July 29, 2016**Request for Application Release Date: **August 15, 2016**Pre-Application Question Period Ends: **September 16, 2016**Application Submission Deadline: **September 30, 2016**

The Office of the State Superintendent of Education (OSSE) is soliciting grant applications for the Farm Field Trip grant. The purpose of this grant is to increase the number of District students who visit local farms. This grant is designed to support one or more classes of students. It is not designed to support the entire school.

Eligibility: OSSE will accept applications from Washington D.C. public schools and public charter schools participating in the Healthy Schools Act and community-based organizations applying on behalf of a school. Past award recipients are eligible. Multiple applications per school will be accepted; however, a maximum of 2 applications will be awarded per school.

Length of Award: The grant award period is 11 months.

Available Funding for Award: The total funding available for this award period is \$40,000. Eligible schools and organizations may apply for an award amount up to \$1,500 per school.

Anticipated Number of Awards: OSSE has funding available for at least twenty (20) awards.

The RFA and all supporting documents will be available on August 15, 2016 at <https://osse.mtwgms.org/wdcossegsweb/logon.aspx>. For additional information regarding this grant competition, please contact:

Erica Walther
Farm to School Specialist
Division of Health and Wellness
Office of the State Superintendent of Education
Government of the District of Columbia
810 First St. NE, Fourth Floor
Washington, DC 20002
Phone: (202) 442-8940
Email: erica.walther@dc.gov

DEPARTMENT OF ENERGY AND ENVIRONMENT

PUBLIC NOTICE

Notice is hereby given that, pursuant to 40 C.F.R. Part 51.161, D.C. Official Code §2-505, and 20 DCMR §210, the Air Quality Division (AQD) of the Department of Energy and Environment (DOEE), located at 1200 First Street NE, 5th Floor, Washington, DC, intends to issue permits (Nos. 7112, 7113, and 7114) to Wardman Hotel LLC to modify and operate three identical Cleaver Brooks dual fuel-fired (natural gas and No. 2 fuel oil) boilers with a heat input of 29.29 MMBtu/hr when burning natural gas and 30.31 MMBtu/hr when burning No. 2 fuel oil, located at the Washington Marriott Wardman Park, 2660 Woodley Road NW, Washington, DC. The boilers currently exist at the facility, but they are being modified to fire No. 2 fuel oil instead of the heavier No. 4 fuel oil they currently fire. The contact person for the facility is Tim Prager, Director of Engineering Facilities, at (202) 328-5681.

Three Identical Boilers as Follows to be Permitted:

Equipment Location	Address	Boiler Size	Boiler Model #	Permit Nos.
Basement Level of Building	2660 Woodley Road Washington, DC 20008	29.29 MMBtu (natural gas) 30.31 MMBtu/hr (No. 2 fuel oil)	CB-100-700	7112, 7113, and 7114

The proposed emission limits are as follows:

- a. Each of the boilers (identified as Boiler #1, Boiler #2 and Boiler #3) shall not emit pollutants in excess of those specified in the following table [20 DCMR 201]:

Pollutant	Short-Term Limit (Natural Gas) (lb/hr)	Short-Term Limit (No. 2 Fuel Oil) (lb/hr)
Carbon Monoxide (CO)	2.32	1.08
Oxides of Nitrogen (NO _x)	1.38	4.33
Total Particulate Matter (PM Total)*	0.21	0.71
Volatile Organic Compounds (VOC)	0.15	N/A [€]
Sulfur Dioxide (SO ₂)	0.02	0.05

*PM Total includes both filterable and condensable fractions.

[€]No limit is being established for VOC from No. 2 fuel oil combustion.

- b. Visible emissions shall not be emitted into the outdoor atmosphere from this boiler, except that discharges not exceeding forty percent (40%) opacity (unaveraged) shall be permitted for two (2) minutes in any sixty (60) minute period and for an aggregate of twelve (12) minutes in any twenty-four hour (24 hr.) period during start-up, cleaning, adjustment of combustion controls, or malfunction of the equipment [20 DCMR 606.1].

- c. Particulate matter emissions from the boiler shall not be greater than 0.08 pounds per million BTU. [20 DCMR 600.1]
- d. An emission into the atmosphere of odorous or other air pollutants from any source in any quantity and of any characteristic, and duration which is, or is likely to be injurious to the public health or welfare, or which interferes with the reasonable enjoyment of life or property is prohibited. [20 DCMR 903.1]
- e. Emissions shall not exceed those achieved with the performance of annual combustion adjustments on each boiler for each fuel as specified in Condition III(c) and (d) and with the following characteristics [20 DCMR 805.8(a) and (b)]:
 - 1. Inspection, adjustment, cleaning or replacement of fuel burning equipment, including the burners and moving parts necessary for proper operation as specified by the manufacturer;
 - 2. Inspection of the flame pattern or characteristics and adjustments necessary to minimize total emissions of NO_x and , to the extent practicable, minimize emissions of CO;
 - 3. Inspection of the air-to-fuel ratio control system and adjustments necessary to ensure proper calibration and operation as specified by the manufacturer; and
 - 4. Adjustments shall be made such that the maximum emission rate for any contaminant does not exceed the maximum allowable emission rate as set forth in Condition II(a)..

The estimated maximum potential emissions from each of the boilers are as follows:

Pollutant	Maximum Annual Emissions Using Exclusively Natural Gas (tons/yr)	Maximum Annual Emissions Using Exclusively No. 2 Fuel Oil (tons/yr)
Carbon Monoxide (CO)	10.26	4.74
Oxides of Nitrogen (NO _x)	6.11	18.97
Total Particulate Matter (PM Total)	0.93	3.11
Volatile Organic Compounds (VOC)	0.67	0.33
Sulfur Dioxide (SO ₂)	0.07	0.22

The application to construct and operate the boilers and the draft set of permits and supporting documents are available for public inspection at AQD and copies may be made available between the hours of 8:15 A.M. and 4:45 P.M. Monday through Friday. Interested parties wishing to view these documents should provide their names, addresses, telephone numbers and affiliation, if any, to Stephen S. Ours at (202) 535-1747.

Interested persons may submit written comments or may request a hearing on this subject within 30 days of publication of this notice. The written comments must also include the person’s name, telephone number, affiliation, if any, mailing address and a statement outlining the air

quality issues in dispute and any facts underscoring those air quality issues. All relevant comments will be considered in issuing the final permit.

Comments on the proposed permit and any request for a public hearing should be addressed to:

Stephen S. Ours
Chief, Permitting Branch
Air Quality Division
Department of Energy and Environment
1200 First Street NE, 5th Floor
Washington, DC 20002
Stephen.Ours@dc.gov

No comments or hearing requests submitted after August 29, 2016 will be accepted.

For more information, please contact Stephen S. Ours at (202) 535-1747.

DEPARTMENT OF ENERGY AND ENVIRONMENT

NOTICE OF SOLICITATION OF PUBLIC COMMENT

Climate Ready DC Plan

Notice is hereby given that the Department of Energy and Environment (the Department) is soliciting comments from the public on the draft Climate Ready DC Plan. The Climate Ready DC Plan is available for public review. A person may obtain a copy of the plan by any of the following means:

Download from the Department's website, at <http://doee.dc.gov/service/climate-change>

Email a request to alexis.goggans@dc.gov with "Request a copy of Climate Ready DC" in the subject line;

Write the Department at 1200 First Street NE, 5th Floor, Washington, DC 20002, "Attn: Climate Ready DC" on the outside of the letter;

Pick up a copy in person from the Department reception desk, located at 1200 First Street NE, 5th Floor, Washington, DC 20002. Contact Alexis Goggans by phone at (202) 535-2324 or by email at alexis.goggans@dc.gov to make an appointment and mention this document by name; or

Visit any DC Public Library during normal business hours to access a digital copy of the plan. Physical copies of the Climate Ready DC plan have also been distributed at the following locations, and can be accessed during normal business hours;

- Martin Luther King, Jr. Library, 901 G Street NW, Washington, DC 20001
- Anacostia Library, 1800 Good Hope Rd. SE, Washington, DC 20020
- Dorothy Heights Library, 3935 Benning Rd. NE, Washington, DC 20019
- Southeast Library, 403 7th St. SE, Washington, DC 20003
- Southwest Library, 900 Wesley Place SW, Washington, DC 20024
- Georgetown Library, 3260 R St. NW, Washington, DC 20007
- Petworth Library, 4200 Kansas Ave. NW, Washington, DC 20011

The Department is committed to considering the public's comments while finalizing Climate Ready DC. Interested persons may submit written comments on the draft Climate Ready DC Plan, which must include the person's name; telephone number; affiliation, if any; mailing

address; a statement outlining their concerns; and any facts underscoring those concerns. **All comments must be submitted by 5:00 pm on Friday, September 2, 2016.**

Comments should be clearly marked “Climate Ready DC” and either:

- 1) Emailed to alexis.goggans@dc.gov; or
- 2) Mailed or hand-delivered to the Department of Energy and Environment, Urban Sustainability Administration, 1200 First Street, NE, 5th Floor, Washington, DC 20002, Attention: Climate Ready DC.

The Department will consider all timely received comments before finalizing the Climate Ready DC. All comments will be treated as public documents and will be made available for public viewing on the Department’s website. When the Department identifies a comment containing copyrighted material, the Department will provide a reference to that material on the website. If a comment is sent by email, the email address will be automatically captured and included as part of the comment that is placed in the public record and made available on the Department’s website. If the Department cannot read a comment due to technical difficulties, and the email address contains an error, the Department may not be able to contact the commenter for clarification and may not be able to consider the comment.

EXCEL ACADEMY PUBLIC CHARTER SCHOOL**INVITATION FOR BIDS**

Excel Academy Public Charter School, a District of Columbia public charter school serving PreK thru 8th grade, is seeking bids for the following services. It is located at 2501 Martin Luther King, Jr. Avenue, SE Washington, DC 20020. Proposals must be received in a PDF format no later than 5:00 pm (EST), Friday, August 5, 2016. Questions, request for detailed service requirements/RFP, and complete proposals should be emailed to: bids@excelpcs.org. No phone call submissions or late responses please. Interviews, samples, demonstrations will be scheduled at our request after the review of the proposals only. Interested parties and vendors will state their credentials and qualifications and provide appropriate licenses, references, insurances, certifications, proposed costs, and work plan. Please include clause(s) to protect against year-after-year increases in fees. Please include any pertinent disclosures that may be present.

Special Education Provider Services
Legal Services
Special Education Legal Services
School Leadership/Administrative Staffing Services
Instructional Staffing Services

EXCEL ACADEMY PUBLIC CHARTER SCHOOL**INVITATION FOR BIDS**

Excel Academy Public Charter School, a District of Columbia public charter school serving PreK thru 8th grade, is seeking bids for Special Education Services. The vendors of special education services will perform the following services consultative and assessment services; psychological, occupational therapy services, speech and language services, physical therapy and/or, audiological services maintain telephone and personal contact with clients, and perform all services in accordance with professional standards set by the their disciplines (i.e. American Psychological Association [APA], American Speech and Hearing Association [ASHA]).

All evaluations services shall include; data collection, clinical interview, administration of assessment tools, scoring and interpreting results, generating a report and MDT/I.E.P meeting participation. Assessment data in all evaluation services shall include; classroom observation, parent interview, child or adolescent clinical interview, teacher referral information, teacher(s) consultation, and school records' review.

Standard evaluation reports shall include; background history, clinical interview, analysis and integration of assessment data, case conceptualization summary, realistic and practical recommendations emphasizing the child's or adolescent's strengths while identifying strategies and resources to address less developed skills and specific referrals for intervention services.

Excel Academy PCS is located at 2501 Martin Luther King, Jr. Avenue, SE Washington, DC 20020.

Proposals must be receive in a PDF format no later than 5:00 pm (EST), Friday, August 5, 2016. Questions, request for detailed service requirements/RFP, and complete proposals should be emailed to: bids@excelpcs.org. No phone call submissions or late responses please.

DEPARTMENT OF HEALTH
HEALTH PROFESSIONAL LICENSING ADMINISTRATION

NOTICE OF MEETING

Board of Medicine
July 27, 2016

On JULY 27, 2016 at 8:30 am, the Board of Medicine will hold a meeting to consider and discuss a range of matters impacting competency and safety in the practice of medicine.

The meeting will be open to the public from 8:30 am to 9:30 am to discuss various agenda items and any comments and/or concerns from the public.

In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, the meeting will then move to Closed Session from 9:30 am until 2:00 pm to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting location is 899 North Capitol Street NE, 2nd Floor, Washington, DC 20002.

Meeting times and/or locations are subject to change – please visit the Board of Medicine website www.doh.dc.gov/bomed and select BoMed Calendars and Agendas to view the agenda and any changes that may have occurred.

Executive Director for the Board – Frank B. Meyers, J.D.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Long Term Care Administration (“Board”) hereby gives notice of a change in its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b)) (2012 Repl.).

The Board was scheduled to meet on Wednesday, July 13, 2016. However, due to unforeseen circumstances, the meeting was canceled for lack of quorum. The Board will instead meet on Thursday, August 4, 2016 from 10:00 AM to 12:00 PM. The meeting will be open to the public from 10:00 AM to 10:30 AM. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, D.C. Official Code § 2-574(b), the meeting will be closed to the public from 10:30 AM to 12:00 PM to allow the Board to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations

The meetings will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health’s Events webpage at www.doh.dc.gov/events to view the agenda.

DEPARTMENT OF HEALTH

PUBLIC NOTICE

The District of Columbia Board of Respiratory Care (“Board”) hereby gives notice of a change in its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1204.05 (b)) (2012 Repl.).

The Board’s regular meeting has been held bi-monthly on the second Monday of the month from 9:00 AM to 12:00 PM. The meeting has been open to the public from 9:00 AM until 10:00 AM to discuss various agenda items and any comments and/or concerns from the public. The new meeting schedule will continue on a bi-monthly basis with the time changed to 9:00 AM – 11:00 AM. The meeting will be open to the public from 9:00 AM until 9:30 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Amendment Act of 2010, D.C. Official Code § 2-574(b) (2012 Repl.), the meeting will be closed from 9:30 AM to 11:00 AM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The Board’s next meetings schedule for the remainder of 2016 will be as follows:

August 8, 2016

October 3, 2016 (date moved up due to Columbus Day holiday on October 10, 2016)

December 12, 2016

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Health Professional Licensing Administration website at <http://doh.dc.gov/events> and to view additional information and agenda.

DEPARTMENT OF HEALTH**PUBLIC NOTICE**

The District of Columbia Board of Social Work (“Board”) hereby gives notice of a change of its regular meeting, pursuant to § 405 of the District of Columbia Health Occupation Revision Act of 1985, D.C. Official Code § 3-1204.05 (b)) (2012 Repl.).

Due to the schedule conflict, the Board’s regular meeting scheduled for Monday, May 25, 2016, is being rescheduled to Monday, August 1, 2016 from 9:00 AM to 12:30 PM. The meeting will be open to the public from 9:00 AM until 10:00 AM to discuss various agenda items and any comments and/or concerns from the public. In accordance with Section 405(b) of the Open Meetings Act of 2010, D.C. Official Code § 2-574(b), the meeting will be closed from 10:00 AM to 12:30 PM to plan, discuss, or hear reports concerning licensing issues, ongoing or planned investigations of practice complaints, and or violations of law or regulations.

The meeting will be held at 899 North Capitol Street, NE, Second Floor, Washington, DC 20002. Visit the Department of Health’s Events webpage at www.doh.dc.gov/events to view the agenda.

DEPARTMENT OF HUMAN RESOURCES

EXCEPTED SERVICE EMPLOYEES AS OF MAY 19, 2016

NOTICE OF EXCEPTED SERVICE EMPLOYEES

D.C. Official Code § 1-609.03(c) requires that a list of Excepted Service positions established under the provision of § 1-609.03(a) along with the types of excepted service appointment, names, position titles, and grades of all persons appointed to these positions be published in the *D.C. Register*. In accordance with the foregoing, the following information is hereby published for the following positions.

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Anthony	Lavita	Executive Assistant	07
Excepted Service	Barnes	Lafayette	Director Part & Grants Dev	10
Excepted Service	Bassett	Kimberly	Exec Director For Comm on Women	07
Excepted Service	Battle	Antoine	Outreach & Service Specialist	05
Excepted Service	Benab	Yasmin	Outreach & Service Specialist	05
Excepted Service	Bennett	Jordan	Public Affairs Specialist	05
Excepted Service	Boucree	Catherine	Program Support Specialist	11
Excepted Service	Brown	Ajan	Program Analyst	03
Excepted Service	Case	Benjamin	Outreach & Service Specialist	05
Excepted Service	Cavendish	Elizabeth	General Counsel	11

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Christian	Hassan	Policy Analyst	05
Excepted Service	Clark	Joshua	Associate Director of Scheduling	03
Excepted Service	Colbert	Derrick	Outreach & Service Specialist	05
Excepted Service	Czin	Michael	Director of Communications	10
Excepted Service	Douglas	Danielle	Special Assistant	05
Excepted Service	Downing	Roberta	Deputy Director	08
Excepted Service	Doxen	Edward	Outreach & Service Specialist	05
Excepted Service	Falcicchio	John	Chief of Staff	11
Excepted Service	Felder	Wendell	Outreach & Service Specialist	05
Excepted Service	Fink	Jason	Director of Scheduling	07
Excepted Service	Foster	Latoya	Senior Communications Officer	08
Excepted Service	Foster-Lee	Isha	Communications Specialist	5
Excepted Service	Glenn	Aliyah	Special Assistant	05
Excepted Service	Hawkins	James	Deputy General Counsel	10
Excepted Service	Hines	Charon	Director, Community Affairs	10
Excepted Service	Hunter	Delano	Chief Service Officer	09

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Isaac	Donald	Special Assistant	06
Excepted Service	Jones Jr.	Tommie	Director of Community Relations	09
Excepted Service	Karnofsky	Alan	Associate Director	05
Excepted Service	Laney	Terrance	Deputy Director	06
Excepted Service	Langford	Craig	Digital Director	06
Excepted Service	Lewis	Eva	Outreach & Service Specialist	05
Excepted Service	Locher	Jeanne	Staff Assistant	02
Excepted Service	Maggard	Ian	Outreach & Service Specialist	05
Excepted Service	Mariman	Rachel	Outreach & Service Specialist	05
Excepted Service	Mason	Erika	Associate Director of Scheduling	03
Excepted Service	Matthews	Michael	Outreach & Service Specialist	05
Excepted Service	McAuley	Phillip	Outreach & Service Specialist	05
Excepted Service	McDowney	Carole	Clerical Assistant (OA)	02
Excepted Service	McElroy	Willie	Community Emergency Response	05
Excepted Service	Mims	Keisha	Outreach & Service Specialist	05

OFFICE OF THE MAYOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Oruh	Chioma	Deputy Director	06
Excepted Service	Parker	Lindsey	Deputy Chief of Staff	11
Excepted Service	Pleitez	Diego	Scheduling Support Assistant	02
Excepted Service	Rainge	Kennisha	Associate Director	05
Excepted Service	Rivera	Keylin	Outreach & Service Specialist	05
Excepted Service	Rojo	Luis	Outreach & Service Specialist	05
Excepted Service	Sereke-Brhan	Heran	Program Analyst (Bilingual)	06
Excepted Service	Spriggs	Sareeta	Dept. Director of Grants & Operations	07
Excepted Service	Stefani	Michael	Associate Director	05
Excepted Service	Tondoneh Munu	Sward	Special Assistant	06
Excepted Service	Walker	Steven	Director, Office of Talent and Appointments	09
Excepted Service	Williams	Malik	Associate Director	05

INSPECTOR GENERAL, OFC OF THE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Branson	Karen	Gen Counsel	10
Excepted Service	Farley	Edward	Assistant IG Inspector/Evaluation	10
Excepted Service	Hart	Lee	Deputy Inspector General	10
Excepted Service	Karrasch	Benjamin	Attorney-Advisor	08
Excepted Service	Kenney	Martin	Assistant Inspector General	10
Excepted Service	Lashley Jr.	Doyle	Attorney Advisor	08
Excepted Service	Silverman	Stuart	Attorney	09
Excepted Service	Van Croft	Keith	Attorney-Advisor	08
Excepted Service	Weeks	Marcus	Supv Attorney Advisor	09
Excepted Service	Williams	Burnette	Attorney-Advisor	08
Excepted Service	Wolfigbarger	Brentton	Supvy Attorney Advisor	10

OFC OF THE CITY ADMINISTRATOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Brown	Matthew	Budget Director	11

OFC OF THE CITY ADMINISTRATOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Constantino	Justin	Deputy Budget Director	10
Excepted Service	Gamblin	Anthony	Budget Analyst	05
Excepted Service	Garrick	Sean	Executive Assistant	07
Excepted Service	Gluckman	Judah	Deputy Direct of Public-Private	10
Excepted Service	Griffin	Consha	Senior Budget Analyst	09
Excepted Service	Hatton	Timothy	Budget Analyst	05
Excepted Service	Holt	Kasmin	Performance Analyst	07
Excepted Service	Kreiswirth	Barry	Senior Legal Advisor	10
Excepted Service	McGaw	John	Deputy Director	10
Excepted Service	Miller Gabriel	Seth	Director	10
Excepted Service	Murray	Christopher	Senior Budget Analyst	09
Excepted Service	Rockett	Ayana	Program Analyst	07
Excepted Service	Thomas	Jorhena	Chief of Staff	11
Excepted Service	Young	Rashad	City Administrator	11

MAYOR'S OFFICE OF LEGAL COUNSEL				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Evans	Gregory	Attorney Advisor	08
Excepted Service	Evans	Ronnie	Special Assistant	05
Excepted Service	Hughes	Bijan	Paralegal Specialist	07
Excepted Service	Marsh	John	Paralegal Specialist	07
Excepted Service	Ross	Ronald	Deputy Director	10
Excepted Service	Torres	Tatiana	Chief of Staff	08
Excepted Service	Tucker	Melissa	Attorney Advisor	08
Excepted Service	Tuohey	Mark	Director	11

OFFICE OF THE SENIOR ADVISOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Afoakwah	Kimberly	Associate Director	09
Excepted Service	Barge	Lolita	Director of Legislative Support	08
Excepted Service	Coombs	John	Deputy Director	08
Excepted Service	Durant	ChanTei	Associate Director	05
Excepted Service	Estes	Maia	Director, Policy & Legislative Affairs	11

OFFICE OF THE SENIOR ADVISOR				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Floyd	Sean	Special Assistant	05
Excepted Service	George	Deborah	Policy Analyst	06
Excepted Service	Herrell	Arlen	Associate Director	09
Excepted Service	Hoffman	Desiree	Associate Director	05
Excepted Service	Kelley	Robert	Staff Assistant	09
Excepted Service	Kinlow	Eugene	Director, Federal and Regional	10
Excepted Service	Perry	Beverly	Senior Advisor	11
Excepted Service	Powell	Randi	Associate Director	06
Excepted Service	Talamante	Tomas	Associate Director	06

DEPARTMENT OF GENERAL SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Wilbert	Davis	Dep. Director for Facilities Mgmt.	11
Excepted Service	James	Hayes	Associate Director for Portfolio	16

OFFICE OF THE SECRETARY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Elwood	Patricia	Protocol Officer	08
Excepted Service	Gold	Judi	Notary & Authent. Officer	07
Excepted Service	Holland	Joy	Deputy Secretary	09
Excepted Service	Katz	Rebecca	Public Records Administrator	07
Excepted Service	Reid	Victor	Administrator, Ofc of Document	08
Excepted Service	Savonis	Luke	Staff Assistant	03

PLANNING, OFFICE OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Cidlowski	Laine	Food Policy Director	08

HUMAN RESOURCES, D.C. DEPARTMENT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Harris	Joshua	Management and Program Analyst	08
Excepted Service	Selman	David	Special Assistant	06
Excepted Service	Williams	Ronald	Special Assistant	09

HOMELAND SECURITY & EMERGENCY MANAGMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Brannum	Robert	Community Outreach Specialist	06
Excepted Service	Gilmore	Edward	Community Outreach Specialist	06

COMMISSION ON THE ARTS & HUMANITIES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Younger	Derek	Special Assistant	07

OFFICE ON LATINO AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Guity Guevara	Julio	Deputy Director	07
Excepted Service	Perdomo	Eduardo	Grants Management Specialist	05

DEPT. OF EMPLOYMENT SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Davis	Crystal	Special Assistant	08
Excepted Service	Morris	Unique	Special Assistant	09

OFFICE OF THE TENANT ADVOCATE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Shreve	Johanna	Chief Tenant Advocate	09

DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Parris	Lori	Deputy Director	10
Excepted Service	Washington	Jason	Special Assistant	07

OFFICE OF CABLE TELEVISION, FILM, MUSIC & ENTERTAINMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Washington	Lindsay	Producer	03

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Cofield	Gwendolyn	Supvy. Public Affairs Special.	09
Excepted Service	Hubbard	Drew	Chief Administrative Officer	10
Excepted Service	Roary	Booker	Staff Assistant	03

DEPT. OF HOUSING AND COMMUNITY DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Wilson	Timothy	Legislative Affairs Specialist	09

OFFICE OF THE DEPUTY MAYOR FOR PLANNING AND ECONOMIC DEVELOPMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Bekele	Tsegazeab	Special Assistant	07
Excepted Service	Donald	Odie	Workforce Investment Manager	15
Excepted Service	McPeck	Joaquin	Special Assistant	08
Excepted Service	Olpadwala	Sarosh	Director, Real Estate	10
Excepted Service	Townley	Dion	Outreach Coordinator	07
Excepted Service	Trueblood	Andrew	Chief of Staff	11
Excepted Service	Tyus	Darnetta	Special Assistant	08
Excepted Service	White	Timothy	Deputy Chief of Staff	09

OFFICE OF THE DEPUTY MAYOR FOR GREATER ECONOMIC OPPORTUNITY				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Beasley	Amber	Director of Operations	03
Excepted Service	Branch	Rahman	Exec Director, Office of African	07
Excepted Service	Dugger	Tony	Executive Director, Commission	07
Excepted Service	Fletcher	Tina	Community Engagement Director	07
Excepted Service	Leach	Faith	Chief of Staff	08
Excepted Service	Nunez	Molly	Public Information Officer	05
Excepted Service	Snowden	Courtney	Deputy Mayor for Greater Economic Opp.	11

SMALL AND LOCAL BUSINESS DEVELOPMENT, DEPARTMENT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Edwards	Ronnie	Deputy Director for Business Opportunity	09

METROPOLITAN POLICE DEPARTMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Fieselmann	Heidi	Special Assistant to the Chief	09

METROPOLITAN POLICE DEPARTMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Hickson	Daniel	Commander	11
Excepted Service	Latta	Aretha	Clerical Assistant (OA)	07
Excepted Service	Major	Jacob	Lieutenant	09
Excepted Service	O Meara	Kelly	Executive Director, Strategic	16

FIRE AND EMERGENCY MEDICAL SVCS DEPARTMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Buchanan	Douglas	Chief Communications Officer	08
Excepted Service	Douglas	Milton	Assistant Fire Chief, Policy & Plan	10
Excepted Service	Foust	David	Assistant Fire Chief SRVS	10
Excepted Service	Gervais	Phillip	Sergeant	04
Excepted Service	Mauro	Amy	Chief of Staff	10
Excepted Service	Mills	Edward	Assistant Fire Chief (EMS)	10

DEPARTMENT OF CORRECTIONS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Darby-Gill	Enidsia	Staff Assistant	02
Excepted Service	Mynett	Beth	Medical Officer	11

JUSTICE GRANTS ADMINISTRATION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	TITLE	GRADE
Excepted Service	Dyer	Christopher	Special Assistant	07
Excepted Service	Garcia	Michelle	Director, Justice Grants Admin	09

OFC OF DEPUTY MAYOR PS&J				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Dyer	Christopher	Special Assistant	07
Excepted Service	Garcia	Michelle	Director, Justice Grants Admin	09
Excepted Service	Thomas	Jorhena	Chief of Staff	11

STATE SUPERINTENDENT OF EDUCATION, OFFICE OF THE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Anthony	Donna	Assistant Superintendent	09
Excepted Service	Kelly	Bridget	Special Assistant	08
Excepted Service	Laird	Elizabeth	Deputy Assistant Superintendent	08
Excepted Service	Peabody	Patience	Director of Communications	09
Excepted Service	Siu	Peter	Strategic Planning Manager	08
Excepted Service	Young	Shana	Chief of Staff	16

DEPUTY MAYOR FOR EDUCATION, OFFICE OF THE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Comey	Jennifer	Special Assistant	08
Excepted Service	Inspektor	Yair	Program Analyst	07
Excepted Service	Miller	Taneka	Policy Advisor	08
Excepted Service	Steinle	Aurora	Senior Policy Analyst	07
Excepted Service	Wells	Shayne	Special Assistant	05
Excepted Service	Yeager	Margery	Chief of Staff	09

DEPARTMENT OF HEALTH				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Watson	Jacqueline	Chief of Staff	09

OFC OF THE DEPUTY MAYOR FOR HEALTH AND HUMAN SERVICES				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Cevasco	Jenna	Special Assistant	07
Excepted Service	Donald	Brenda	Deputy Mayor for Health & Human Services	11
Excepted Service	Joseph	Rachel	Chief of Staff	10

DEPT. OF HEALTH CARE FINANCE				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Rapp	Melisa	Chief of Staff	09
Excepted Service	Schlosberg	Claudia	Senior Deputy Director	11

HUMAN SERVICES, DEPARTMENT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Greenwalt	Kristy	Executive Director Interagency	11

HUMAN SERVICES, DEPARTMENT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Kershbaum	Sharon	Chief Operating Officer	10
Excepted Service	Melder	Joseph	Chief of Staff	09
Excepted Service	Olakanmi	Ololade	Senior Advisor	09

YOUTH REHABILITATION SERVICES, DEPT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Harlee-Harper	Linda	Deputy Director for DYRS	10

TRANSPORTATION, DISTRICT DEPT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Foxworth	Rodney	Deputy Director Neighborhood Engage	07
Excepted Service	Gillis	Greer	Deputy Director	10
Excepted Service	Turner	Adrea	Chief of Staff	10
Excepted Service	Wood	Brian	Outreach & Service Specialist	05

DEPT OF ENERGY & ENVIRONMENT				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Stutz	Benjamin	Special Assistant	08

DEPARTMENT OF PUBLIC WORKS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Jackson	James	Deputy Director for Operations	10
Excepted Service	Reynolds	Wilson	Solid Waste Program Coordinator	06

MOTOR VEHICLES, DEPARTMENT OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Stewart	Gregori	Ticket Ombudsman	08

BEHAVIORAL HEALTH, DEPT. OF				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Eddins	Jessica	Clinical Psychology Resident	05
Excepted Service	Glover	Nicole	Clinical Psychologist Intern	04
Excepted Service	Kulenovic	Dina	Clinical Psychologist Intern	04

DC TAXICAB COMMISSION				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Collins	Theford	Special Assistant	07

OFFICE OF THE CHIEF TECHNOLOGY OFFICER				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	POSITION TITLE	GRADE
Excepted Service	Bailey	Matthew	Supervisory IT Specialist	15

OFFICE OF VETERAN AFFAIRS				
APPOINTMENT TYPE	LAST NAME	FIRST NAME	TITLE	GRADE
Excepted Service	Lambert	Tammi	Director, Veterans Affairs	09

**OFFICE OF THE DEPUTY MAYOR FOR
PLANNING AND ECONOMIC DEVELOPMENT**

**NOTICE OF PUBLIC MEETING REGARDING
ECONOMIC STRATEGY**

The District will convene the first meeting of the economic strategy advisory committee and welcomes members of the public. The purpose of this meeting is to discuss the development of a new economic strategy focusing on inclusive economic growth. The date, time, and location shall be as follows:

Property: John A. Wilson Building
1350 Pennsylvania Avenue NW
Room G-9

Date: Tuesday, August 9, 2016

Time: 2:00-4:00 p.m.

Location: John A. Wilson Building
1350 Pennsylvania Avenue NW
Room G-9
Washington, D.C. 20004

Contact: Sharon Carney, sharon.carney@dc.gov
(202) 727-9920

PUBLIC SERVICE COMMISSION OF THE DISTRICT OF COLUMBIA

NOTICE OF PROPOSED TARIFF

GAS TARIFF 00-2, IN THE MATTER OF WASHINGTON GAS LIGHT COMPANY'S RIGHTS-OF-WAY SURCHARGE GENERAL REGULATIONS TARIFF, P.S.C.-D.C.**No. 3**

1. The Public Service Commission of the District of Columbia (Commission) hereby gives notice, pursuant to Section 34-802 of the District of Columbia Code and in accordance with Section 2-505 of the District of Columbia Code,¹ of its intent to act upon the proposed Surcharge Update of Washington Gas Light Company (WGL)² in not less than 30 days after the date of publication of this Notice of Proposed Tariff (NOPT) in the *D.C. Register*.

2. The Rights-of-Way (ROW) Surcharge contains two components, the ROW Current Factor and the ROW Reconciliation Factor. On May 18, 2016, pursuant to D.C. Code § 10-1141.06,³ WGL filed a Surcharge Update to revise the ROW Reconciliation Factor.⁴ In the Surcharge Update, WGL sets forth the process to be used to recover from its customers the D.C. ROW fees paid by WGL to the District of Columbia government in accordance with the following tariff page:

GENERAL SERVICES TARIFF, P.S.C.-D.C. No. 3**Section 22****3rd Revised Page 56**

3. WGL's Surcharge Update shows that the ROW Current Factor is 0.0328 with the ROW Reconciliation Factor of 0.0054 for the prior period, which yields a net factor of 0.0382.⁵ In addition, WGL expresses its intent to collect the surcharge beginning with the June 2016

¹ D.C. Code § 2-505 (2001 Ed.) and D.C. Code § 34-802 (2001 Ed.).

² *GT00-2, In the Matter of Washington Gas Light Company's Rights-of-Way Surcharge General Regulations Tariff, P.S.C.-D.C. No. 3*, (GT00-2) Rights-of-Way Reconciliation Factor Surcharge Filing of Washington Gas Light Company (Surcharge Update), filed May 18, 2016.

³ D.C. Code § 10-1141.06 (2001 Ed.), states that [e]ach public utility company regulated by the Public Service Commission shall recover from its utility customers all lease payments which it pays to the District of Columbia pursuant to this title through a surcharge mechanism applied to each unit of sale and the surcharge amount shall be separately stated on each customer's monthly billing statement.

⁴ *GT00-2*, Surcharge Update at 1.

⁵ *Id.* at 2.

billing cycle.⁶ The Company has a statutory right to implement its filed surcharges. However, if the Commission discovers any inaccuracies in the calculation of the proposed surcharge, WGL could be subject to reconciliation of the surcharges.

4. This Surcharge Update may be reviewed at the Office of the Commission Secretary, DC Public Service Commission, 1325 G Street, N.W., Suite 800, Washington, D.C. 20005, between the hours of 9:00 a.m. and 5:30 p.m., Monday through Friday as well as on the Commission's web site at www.dcpssc.org. Once at the website, open the "eDocket" tab, click on the "Search database" and input "GT00-2" as the case number and "129" as the item number. Copies of the tariff are available upon request, at a per-page reproduction cost, by contacting the Commission Secretary at (202) 626-5150 or psc-commissionsecretary@dc.gov.

5. Comments on the Surcharge Update must be made in writing to Brinda Westbrook-Sedgwick, at the above address. All comments must be received within 30 and 45 days respectively, of the date of publication of this NOPT in the *D.C. Register*. Once the comment period has expired, the Commission will take final action on WGL's Surcharge Update.

⁶ *Id.* at 1.

OFFICE OF THE SECRETARY OF THE DISTRICT OF COLUMBIA
RECOMMENDATIONS FOR APPOINTMENTS AS NOTARIES PUBLIC

Notice is hereby given that the following named persons have been recommended for appointment as Notaries Public in and for the District of Columbia, effective on or after September 1, 2016.

Comments on these potential appointments should be submitted, in writing, to the Office of Notary Commissions and Authentications, 441 4th Street, NW, Suite 810 South, Washington, D.C. 20001 within seven (7) days of the publication of this notice in the *D.C. Register* on July 29, 2016. Additional copies of this list are available at the above address or the website of the Office of the Secretary at www.os.dc.gov.

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: September 1, 2016****Page 2**

Aist	Christina Glidden	Mayer Brown LLP 1999 K Street, NW	20006
August	Eric P.	Lafayette Federal Credit Union 1300 Pennsylvania Avenue, NW, Room C. 1-80	20523
Avé-Lallemant	Charity	Imperial House Condominium 1601 18th Street, NW	20009
Ballerini	Kenneth	National Security Council 1650 Pennsylvania Avenue, NW	20504
Barefoot	Courtney	American Rivers 1101 14th Street, NW, Suite 1400	20005
Battista	Suzanne K.	Cornerstone Government Affairs 300 Independence Avenue, SE	20003
Battle	Jeffrey	The Parrish Group, LLC 1701 Pennsylvania Avenue, NW, Suite 300	20009
Belinky	Carla B.	Foley & Lardner LLP 3000 K Street, NW, Suite 600	20007
Bell	Dawnetta L.	District Department of Transportation 2000 14th Street, NW	20009
Beziat	Josephine B.	USA for UNHCR 1775 K Street, NW, Suite 580	20006
Blankenship	Debbie H.	Library of Congress Federal Credit Union 101 Independence Avenue, SE	20540
Bragg	Tomica P.	Tenleytown Trash 6318 Chillum Place, NW	20011
Brennan	Kathleen	Sudow Kohlhagen LLP 670 Water Street, SW	20024
Brown	Linda C.	Norton Rose Fulbright US LLP 799 9th Street, NW, Suite 1000	20001

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public****Effective: September 1, 2016****Page 3**

Cameron	John M.	Wells Fargo Bank, NA 600 Maryland Avenue, SW	20024
Campese	Alicia Marie	American Humane Association 1400 16th Street, NW, Suite 360	20036
Concino	Jennifer C.	Tobin, O'Connor & Ewing 5335 Wisconsin Avenue, NW, #700	20015
Contee	Angela S.	STE, LLC DBA The UPS Store 6047 455 Massachusetts Avenue, NW	20001
Copp	Magdalene E.	Brown Rudnick LLP 601 13th Street, NW, Suite 600	20005
Cousins	Jameka	DVA Federal Credit Union 810 Vermont Avenue, NW, Room 831	20420
Cox	Melisma	The George Washington Law School 2000 H Street, NW	20052
Davis	JoAnn	Self 918 T Street, NW	20001
Davis-Washington	Deirdre A.	Incorporating Services LTD 1100 H Street, NW, Suite 840	20005
Diggs	Kimberly M.	Office of Contracting and Procurement 441 4th Street, NW, Suite, 700 South	20001
Dimonte	William F.	Planet Depos 1100 Connecticut Avenue, NW	20036
Domingo	Angelita M.	G3 Global Services, LLC 919 18th Street, NW, Suite 230	20006
Espinoza	Sonia B.	Wells Fargo Bank 1800 K Street, NW	20006
Farrington	Yosia D.	Soundexchange, Incorporated 733 10th Street, NW, 10th Floor	20001

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public**

Effective: September 1, 2016

Page 4

Fleming	Martita	Washington Latin Public Charter School 5200 2nd Street, NW	20011
Fletcher	Donna M.	Self 7526 Eastern Avenue, NW	20012
Ford	Kenja	Gallup Inc. 901 F Street, NW, Suite 200	20004
Gantt	Belinda	DVA Federal Credit Union 810 Vermont Avenue, NW, Room 831	20420
Gershon	Jason William	PNC Bank 1100 25th Street, NW	20037
Gonia	Jessie	Ethical Electric 1055 Jefferson Street, NW, Suite 650	20007
Gray	Marjorie	Self 758 Barnes Street, NE	20019
Grice	Saundra M.	Special Olympics 1133 19th Street, NW	20036
Griffin	Toni W.	Jones Day 51 Louisiana Avenue, NW	20001
Guthrie	Joyce Ann	Manatt, Phelps & Phillips, LLP 1050 Connecticut Avenue, NW, Suite 600	20036
Harley	Cecilia	National Air Traffic Controllers Association 1325 Massachusetts Avenue, NW	20005
Hawkins-Mason	April	The Ford Law Firm 506 9th Street, NW	20004
Haynes	Stalicia L.	GKA, PC 1015 18th Street, NW, Suite 200	20036
Head	Nina A.	Tenleytown Trash 6318 Chillum Place, NW	20011

**D.C. Office of the Secretary
Recommendations for appointment as DC Notaries Public**

Effective: September 1, 2016

Page 5

Herbst	Amy	Special Olympics, Inc 1133 19th Street, NW	20036
Hilderbrand	Kristen Elise	American Humane Association 1400 16th Street, NW, Suite 360	20036
Hobson	Barry Cyntell	AFL-CIO 815 16th Street, NW	20006
Holland	Rana W.	Advocates for Youth 2000 M Street, NW, Suite 750	20036
Huckabone	Jenifer	The Midtown Group 1130 Connecticut Avenue, NW, Suite 1101	20036
Kinard	Lauren Vanni	First Excel Title, LLC 5335 Wisconsin Avenue, NW, Suite 440	20015
Kydd	Arlene C.	Washington Gas 101 Constitution Avenue, NW, 2nd Floor	20080
Lake	Jennifer	Husch Blackwell LLP 750 17th Street, NW, Suite 900	20006
Levi	Adam	Capital One Bank 4400 Massachusetts Avenue, NW	20016
Margolis	Todd Michael	Self 4458 1/2 MacArthur Boulevard, NW	20007
McKenzie	Debra S.	Love Funding Corporation 1250 Connecticut Avenue, NW, Suite 310	20036
Melaku	Yamrot	TD Bank 605 14th Street, NW	20005
Miller	Carvangeline	Citibank NA 1775 Pennsylvania Avenue, NW	20006
Muhammad	Safiyah H.	Self 2408 Pomeroy Road, SE	20020

D.C. Office of the Secretary
 Recommendations for appointment as DC Notaries Public

Effective: September 1, 2016

Page 6

Mullikin	Holly	Penzance Management 2400 N Street, NW, Suite 600	20037
Negrete	Lauren C.	USA for UNHCR The UN Refugee Agency 1775 K Street, NW, Suite 580	20006
Nicol	Danielle M.	FEN Enterprises, Inc 5206 East Capitol Street, NE	20019
O'Brien	Colleen	People for the Ethical Treatment of Animal (Peta) 1536 16th Street, NW	20036
Onyekwere	Nneka Linda	Sughrue Mion, PLLC 2100 Pennsylvania Avenue, NW	20037
Parker	Edward	Self 2238 Bunker Hill Road, NE	20018
Perry	Adam C.	Capitol Seniors Housing 1275 Pennsylvania Avenue, NW, 2nd Floor	20004
Quinn	Hilary	Skadden, Arps, Slate, Meagher & Flom 1440 New York Avenue, NW	20005
Raglin	Veronica E.	Self 408 21st Street, NE	20002
Reynolds	Rayven N.	Farmer Mac 1999 K Street, NW, 4th Floor	20006
Rich	Jordan	Self 4701 Connecticut Avenue, NW, #202	20008
Richmond	Lisa	Foresthills of DC 2701 Military Road, NW, BSMT 1st and 2nd Floor	20015
Robinson	B. Nicole	Friedlander 5335 Wisconsin Avenue, NW	20015

D.C. Office of the Secretary
 Recommendations for appointment as DC Notaries Public

Effective: September 1, 2016
 Page 7

Russo	Peggy	US Department of Housing and Urban Development 451 7th Street, SW, Room 6250	20410
Schmitt	Catherine E.	CloseIT! Title Services dba Federal Title & Escrow Company 5335 Wisconsin Avenue, NW, #700	20015
Selden	Christina	Center for Applied Linguistics 4646 40th Street, NW	20016
Slovak	Lucia	TFC Utilities, LLC 1707 L Street, NW	20036
Smallwood	Carolyn D.	Self (Dual) 2639 Jasper Street, SE #5	20001
Stewart	Barbara J.	Saint Teresa of Avila Catholic Church 1401 V Street, SE	20020
Sweigart	Tyler	Tyler Sweigart DBA State Farm Agent 1803 Connecticut Avenue, NW, 4th Floor	20009
Wahid	Aaron	2029 Connecticut Avenue Community Unit Owners Association 2029 Connecticut Avenue, NW	20008
Wang	Grace	Self (Dual) 1150 Connecticut Avenue, NW, Suite 900	20036
Woolen	Kisha L.	Tobin, O'Connor & Ewing 5335 Wisconsin Avenue, NW #700	20002
Wright	Jeunesse Parris	Jeunesse Wright DBA State Farm Agent 2233 Wisconsin Avenue, NW	20007
Yanish	Andrew Scott	People for the American Way 1101 15th Street, NW, Suite 600	20005
Yu	Elizabeth	Circle in a Square Advisors 1906 Sunderland Place, NW	20036

D.C. SENTENCING AND CRIMINAL CODE REVISION COMMISSION**D.C. SENTENCING COMMISSION****2016-2017 MEETING SCHEDULE**

The Commission meetings for the D.C. Sentencing Commission are held in open session on the *third Tuesday of every month*. (unless otherwise noted)

All meetings are held at 441 4th Street, N.W., Suite 430S, Washington, D.C. A notice will be published in the *D.C. Register* and posted on the agency website at <http://sentencing.dc.gov> for each meeting.

The meeting dates for 2016-2017 are:

Sept. 20, 2016	5:00-6:30 p.m.
Oct. 18, 2016	5:00-6:30 p.m.
Nov. 29, 2016	5:00-6:30 p.m.
Dec. 20, 2016	5:00-6:30 p.m.
Jan. 24, 2017	5:00-6:30 p.m.
Feb. 21, 2017	5:00-6:30 p.m.
Mar. 21, 2017	5:00-6:30 p.m.
Apr. 18, 2017	5:00-6:30 p.m.
May 23, 2017	5:00-6:30 p.m.
June 20, 2017	5:00-6:30 p.m.
July 18, 2017	5:00-6:30 p.m.

*Meeting schedule is subject to change. Inquiries concerning the meeting may be addressed to Mia Hebb, Staff Assistant, at (202) 727-8822 or Mia.Hebb@dc.gov.

DEPARTMENT OF SMALL AND LOCAL BUSINESS DEVELOPMENT

Revised NOTICE OF FUNDING AVAILABILITY (NOFA)

DC MAIN STREETS

(Eastern Market and Columbia Heights/Mount Pleasant Target Areas)

The Department of Small and Local Business Development (DSLBD) is soliciting applications from eligible applicants to operate a DC Main Streets program (“the Program”) in two service areas (listed below). **The submission deadline is Thursday, September 8, 2016 at 2:00 p.m.**

Through this grant, DSLBD will designate and fund two DC Main Streets programs (organizations), which will develop the following programs and services.

- Assist business districts with the retention, expansion and attraction of neighborhood-serving retail stores.
- Unify and strengthen the commercial corridor.

Eligible applicants are DC-based nonprofit organizations which are current on all taxes.

DSLBD will **award** one grant for **each** of the following **service areas** (i.e., a total of two grants).

- Eastern Market (Ward 6)
- Columbia Heights/Mount Pleasant (Ward 1)

Each designated Program will receive \$200,000 in grant funding and technical assistance to support commercial revitalization initiatives.

The DC Main Streets grant award is a recurring grant, which can be renewed annually as long as the grantee continues to meet the standards for accreditation by the National Main Street Center. The FY 2017 **grant performance period** is November 1, 2016 through September 30, 2017.

The **Request for Application** (RFA) includes instructions and guidance regarding application preparation. DSLBD will post the RFA on or before **Friday, July 8, 2016** at dslbd.dc.gov/page/dc-main-streets-grants. DSLBD will host an Information Session on July 27, 2015 at 3:00 p.m. at DSLBD’s office (441 4th Street, NW, #805 South Washington DC 20001). A photo ID is required to enter the building.

Application Process: Interested applicants must complete an online application on or before **Thursday, September 8, 2016 at 2:00 p.m.** Applicants submitting incomplete applications will be notified by Monday, September 12, 2016 and will have two business days to upload missing information. Corrected applications are due on September 14, 2016 at 2 p.m. DSLBD will not accept applications submitted via hand delivery, mail or courier service. **Late submissions and incomplete applications will not be forwarded to the review panel.**

Selection Process: DSLBD will select grant recipients through a competitive application process that will assess the Applicant’s eligibility, experience, and capacity. DSLBD will determine grant award selection and notify all applicants of their status via email on or before Monday October 17, 2016.

Funding for this award is contingent on continued funding from the DC Council. The RFA does not commit the Agency to make an award.

DSLBD reserves the right to issue addenda and/or amendments subsequent to the issuance of the NOFA or RFA, or to rescind the NOFA or RFA.

All applicants must attest to executing DSLBD grant agreement as issued (sample document will be provided with the online application) and to starting services on November 1, 2016.

For more information, contact Cristina Amoruso, DC Main Streets Coordinator, at the Department of Small and Local Business Development at (202) 727-3900 or cristina.amoruso@dc.gov.

**WASHINGTON CONVENTION AND SPORTS AUTHORITY
(T/A EVENTS DC)**

NOTICE OF PUBLIC MEETING

The Board of Directors of the Washington Convention and Sports Authority (t/a Events DC), in accordance with the District of Columbia Self-Government and Governmental Reorganization Act of 1973, D.C. Official Code §1-207.42 (2006 Repl., 2011 Supp.), and the District of Columbia Administrative Procedure Act of 1968, as amended by the Open Meetings Amendment Act of 2010, D.C. Official Code §2-576(5) (2011 Repl., 2011 Supp.), hereby gives notice that it has scheduled a meeting for Thursday, August 11, 2016.

The meeting will take place in the Dr. Charlene Drew Jarvis Board Room of the Walter E. Washington Convention Center, 801 Mount Vernon Place, N.W., Washington, D.C. 20001, beginning at 10 a.m. The Board's agenda includes reports from its Standing Committees.

For additional information, please contact:

Sean Sands
Chief of Staff
Washington Convention and Sports Authority
t/a Events DC

(202) 249-3012
sean.sands@eventsdc.com

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19219 of 2001 2nd St. NE, LLC, as amended¹, pursuant to 11 DCMR § 3104.1, for a special exception from the rooftop architectural element requirements under § 400.24, to expand an existing two-story, four-unit apartment house into a three-story, five-unit apartment house in the R-4 District at premises 2001 2nd Street N.E. (Square 3565, Lot 58).

HEARING DATE: July 6, 2016²
DECISION DATE: July 12, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 5 (original) and 41 (revised).)³ In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 5E and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 5E, which is automatically a party to this application. ANC 5E did not submit a report in the case. The ANC testified that it has not submitted a written

¹ The Applicant amended the application twice, ultimately requesting to expand an existing two-story, four-unit apartment house into a three-story, five-unit apartment house. The initial application was for a residential conversion under § 336 for six units from the existing four units. That original request was next replaced with one for variances under §§ 401 (lot size) and 403.2 (lot occupancy), based on a Zoning Administrator's memo. (Exhibit 33.) Subsequently, the Applicant, based on a self-certification, replaced the first revision with a request for special exceptions under §§ 336.13 (residential conversion) and 400.24 (rooftop architectural element), after having reduced the number of units to five from the initial request for six. (Exhibit 41.) At the July 6 hearing, the Office of Planning noted that its analysis showed and which it confirmed with DCRA, that special exception residential conversion relief under § 336.13 was not needed, since the property was developed with a "purpose built apartment house, and was not ever converted to serve that purpose...". The Applicant confirmed that it is now seeking only relief from § 400.24, based on OP and DCRA's interpretation. The caption has been revised accordingly.

² The hearing was postponed from March 22, 2016, April 26, 2016, May 10, 2016, and June 7, 2016, at the Applicant's request. (Exhibits 34 and 36.) The hearing was held on July 6, 2016.

³ The case file also includes a Zoning Administrator's letter. (Exhibits 9 and 33.)

report because the Applicant had neither submitted a petition in support signed by over 51% of neighbors within 200 feet nor received the support of Eckington Civic Association.⁴

The Office of Planning (“OP”) submitted two timely reports and testified in support of the revised application at the July 7 hearing. The supplemental OP report recommended approval of most relief, but noted that additional penthouse relief was required, and recommended denial of relief for setback of roof terrace guard rails. (Exhibit 40.) After looking at the revised plans, OP testified that relief for guard rail setback is no longer needed. OP also noted in its supplemental report that relief from § 336 is not required for this project, because it is an existing, purpose-built apartment building. The original OP report recommended denial of variance relief from § 401.3, Minimum Lot Area, and § 403, Lot Occupancy. (Exhibit 35.) The District Department of Transportation (“DDOT”) submitted a timely report indicating that it had no objection to the grant of the application. (Exhibits 30.)

A petition in support of the application signed by 60 neighbors was submitted to the record. (Exhibit 44.)

A letter in opposition of the application was submitted to the record. (Exhibits 26 and 28 (duplicate).)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for a special exception from the rooftop architectural element requirements under § 400.24, to expand an existing two-story, four-unit apartment house into a three-story, five-unit apartment house in the R-4 District. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board, and having given great weight to the OP reports, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 400.24, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party and is appropriate in this case.

It is therefore **ORDERED** that the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 37.**

⁴ The Applicant submitted a petition signed by 42% of the community (Exhibit 44), but since this was not the required 51%, it did not receive the ANC’s support.

VOTE: **3-0-2** (Anita Butani D'Souza, Robert E. Miller, and Jeffrey L. Hinkle, to APPROVE; Marnique Y. Heath, Frederick L. Hill, not participating.)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 18, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THE REQUEST IS GRANTED. PURSUANT TO § 3129.9, NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL TOLL OR EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 ET SEQ. (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

BZA APPLICATION NO. 19219

PAGE NO. 3

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19270 of 3636 Woodner, LP and Rock Creek Plaza-Woodner, LP, pursuant to 11 DCMR §§ 3104.1 and 3103.2, for special exception relief under § 354 to permit a new fitness facility as a commercial adjunct and a small increase in the total floor area devoted to adjuncts in an existing apartment house, and a variance from § 354.5 to permit a sign indicating the existence of the proposed fitness facility that is visible from the outside of the apartment house in the R-5-D District at 3636 16th Street, N.W. (Square 2624, Lots 831, 832, and 833).¹

HEARING DATE: July 12, 2016

DECISION DATE: July 12, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit ["Ex. "] 6.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 1D, and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 1D, which is automatically a party to this application. The ANC submitted a report, dated April 28, 2016, indicating that at a duly noticed and regularly scheduled public meeting on April 25, 2016, at which a quorum was in attendance, ANC 1D voted 5-0 in support of the application. (Ex. 20.)

The Office of Planning ("OP") submitted a timely report dated July 5, 2016 (Ex. 31), recommending approval of the application, and testified in support of the application at the public hearing. The District Department of Transportation ("DDOT") submitted a timely report dated July 5, 2016 (Ex. 32), indicating that it had no objection to the application, with the condition that the Applicant provide five short-term bicycle racks located near the entrance to the fitness facility. The Applicant testified that it agreed to this condition and would work to locate the bicycle racks on private property or to coordinate with DDOT in order to locate the

¹ The caption has been revised to add detail that clarifies the relief requested, but the variance and special exception relief originally captioned and advertised has not been amended.

bicycle racks in public space.

Special Exception

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to 11 DCMR §§ 3104.1 and 354. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 354, that the requested relief can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Variance

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to 11 DCMR § 3103.2, for a variance from 11 DCMR § 354.5, which prohibits a sign or display indicating the existence of an adjunct to be visible from outside of the building. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be adverse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from 11 DCMR § 354.5, the Applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. It is therefore **ORDERED** that this application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED DRAWINGS AT EXHIBIT 30C, AND SUBJECT TO THE FOLLOWING CONDITION:**

1. The Applicant shall provide five short-term bicycle racks located near the entrance to the fitness facility.

VOTE: 4-0-1 (Marnique Y. Heath, Anita Butani D'Souza, Jeffrey L. Hinkle, and Peter G. May to Approve; Frederick L. Hill not present, not voting.)

BZA APPLICATION NO. 19270

PAGE NO. 2

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

The majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 15, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

PURSUANT TO 11 DCMR § 3205, THE PERSON WHO OWNS, CONTROLS, OCCUPIES, MAINTAINS, OR USES THE SUBJECT PROPERTY, OR ANY PART THERETO, SHALL COMPLY WITH THE CONDITIONS IN THIS ORDER, AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT. FAILURE TO ABIDE BY THE CONDITIONS IN THIS ORDER, IN WHOLE OR IN PART SHALL BE GROUNDS FOR THE REVOCATION OF ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY ISSUED PURSUANT TO THIS ORDER.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION,

BZA APPLICATION NO. 19270

PAGE NO. 3

FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19313 of Emmanuel Baptist Church, pursuant to 11 DCMR § 3103.2, for a variance from the off-street parking requirements under § 2101.1, and pursuant to § 3104.1, for a special exception from the residential development requirements under § 353, to construct a new 74-unit apartment building in the R-5-A District at premises 2409-2412 Ainger Place, S.E. (Square 5740, Lots 8, 190, and 851).

HEARING DATE: July 12, 2016
DECISION DATE: July 12, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibit 6.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register*, and by mail to Advisory Neighborhood Commission ("ANC") 8B and to owners of property within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 8B, which is automatically a party to this application. On July 5, 2016, the ANC submitted a resolution indicating that at a regularly scheduled and properly noticed public meeting on June 21, 2016, with a quorum present, it voted unanimously (4:0, with two absent) to support the application. (Exhibit 36.)

The Office of Planning ("OP") submitted a timely report dated July 5, 2016, recommending approval of the application subject to the Applicant providing certain information which was listed in the report and subject to two conditions. (Exhibit 38.) As conditions, OP requested the addition of 10 secure on-site bicycle parking spaces, and the installation of a transit kiosk in the lobby. At the hearing, the Applicant testified that the information requested was provided to OP, and the Applicant agreed to meet OP's conditions. (See Exhibits 40, 40A, and 40B.) Further, at the hearing, the Applicant's architect updated the plans to reflect the masonry wall as agreed upon with OP. (Exhibit 41.)

The District Department of Transportation filed a timely report on July 5, 2016 expressing no objection to the application. (Exhibit 37.)

One tenant residing at the subject site at 2412 Ainger Place, S.E. testified at the hearing, raising her concerns about the 90-day timeline for moving from the site. She expressed the need for more time to relocate. The Applicant responded, informing the Board about the relocation plan and assuring the tenant that the Applicant will work with her and the other residents on the matter. The tenant stated that she was satisfied with the Applicant's response and that she supported the project.

On June 21, 2016, a statement in support was entered into the record from the D.C. Department of Housing and Community Development. (Exhibit 30.)

Variance Relief:

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case, pursuant to § 3103.2, for a variance from § 2101.1. The only parties to this case were the Applicant and ANC 8B which supported the application. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the ANC and OP reports filed in this case, the Board concludes that in seeking a variance from § 2101.1, the Applicant has met the burden of proving under 11 DCMR § 3103.2, that there exists an exceptional or extraordinary situation or condition related to the property that creates a practical difficulty for the owner in complying with the Zoning Regulations, and that the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the Zoning Regulations and Map.

Special Exception Relief:

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under § 353. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the ANC and the OP reports filed in this case, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1 and 353, that the requested relief can be granted, as being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions

of law. The waiver will not prejudice the rights of any party, and is appropriate in this case. It is therefore **ORDERED** that the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED PLANS AT EXHIBITS 40A AND 40B SUPPLEMENTAL SUBMISSION: (Tab A and Tab B) (PLANS), AS FURTHER REVISED BY EXHIBIT 41 – REVISED SITE PLAN SHOWING LOCATION OF SCREEN WALL.**

VOTE: 4-0-1 (Marnique Y. Heath, Anita Butani D’Souza, Jeffrey L. Hinkle, and Peter G. May to APPROVE; Frederick L. Hill not present, not voting).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this summary order.

FINAL DATE OF ORDER: July 19, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

BZA APPLICATION NO. 19313

PAGE NO. 3

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT**

Application No. 19317 of Travis Gordon, as amended,¹ pursuant to 11 DCMR § 3104.1, for a special exception under § 223, not meeting the lot occupancy requirements under § 403.2, the open court requirements under § 406.1, and the nonconforming structure requirements under § 2001.3, and special exceptions from the penthouse requirements under § 411.5, and from the enclosing walls of equal heights requirements under § 411.9, to construct a new stairway penthouse to an existing one-family dwelling in the R-4 District at premises 1320 10th Street, N.W. (Square 339, Lot 28).

HEARING DATE: July 6, 2016
DECISION DATE: July 12, 2016

SUMMARY ORDER

SELF-CERTIFIED

The zoning relief requested in this case was self-certified, pursuant to 11 DCMR § 3113.2. (Exhibits 5 –original, and 37 - revised.) In granting the certified relief, the Board of Zoning Adjustment ("Board" or "BZA") made no finding that the relief is either necessary or sufficient. Instead, the Board expects the Zoning Administrator to undertake a thorough and independent review of the building permit and certificate of occupancy applications filed for this project and to deny any application for which additional or different zoning relief is needed.

The Board provided proper and timely notice of the public hearing on this application by publication in the *D.C. Register* and by mail to Advisory Neighborhood Commission ("ANC") 2F and to owners of property located within 200 feet of the site. The site of this application is located within the jurisdiction of ANC 2F, which is automatically a party to this application. ANC 2F did not file an official report in the application to which the Board could give great weight. However, at the hearing the Applicant testified that the application was presented to the ANC 2F Community Development Committee ("CDC") which approved the case and recommended that the full ANC support the application. The Applicant filed into the record an email exchange between the Applicant and members of ANC 2F noting that the CDC did in fact approve the application, and that the ANC approved the CDC's recommendation to support this application. (Exhibit 38.)

The Office of Planning ("OP") submitted a timely report on June 29, 2016, recommending approval of the application which initially included relief from §§ 223.1, 2001.3, 403, and 406.

¹ This application was originally filed to request special exception relief under §§ 223.1, 2001.3, 403, and 406. (Exhibit 5.) The application was amended to request additional special exception relief under §§ 411.5 and 411.9 as captioned above. (See Exhibit 37.)

OP recommended that the Applicant add relief from §§ 411.5, 411.9, and 411.18, but OP noted that it would recommend denial of relief under § 411.18 for setback of roof terrace guard rails. (Exhibit 31.) The application was amended to include two of the additional areas of relief recommended by OP, *to wit*, §§ 411.5 and 411.9. (See Exhibit 37.) At the hearing, the Applicant's representative testified that the Applicant is "fine with setting the railing back from the face of the building" as requested by OP (Transcript, Hearing of July 6, 2016, p. 179), obviating the need for relief under § 411.18. Consequently, OP testified in support of the application as amended.² The Board requested that the Applicant submit updated plans, which the Applicant provided in his post-hearing submission. (Exhibit 36.)

The D.C. Department of Transportation submitted a timely report on June 29, 2016 indicating that it has no objection to approval of the application. (Exhibit 30.)

As directed by 11 DCMR § 3119.2, the Board has required the Applicant to satisfy the burden of proving the elements that are necessary to establish the case pursuant to § 3104.1, for special exception relief under §§ 223, 2001.3, 403.2, 406.1, 411.5, and 411.9. The only parties to the application were the Applicant and the ANC which expressed support for the application. No parties appeared at the public hearing in opposition to this application. Accordingly, a decision by the Board to grant this application would not be averse to any party.

Based upon the record before the Board and having given great weight to the OP report, the Board concludes that the Applicant has met the burden of proof, pursuant to 11 DCMR §§ 3104.1, 223, 2001.3, 403.2, 406.1, 411.5, and 411.9, that the requested relief can be granted, being in harmony with the general purpose and intent of the Zoning Regulations and Map. The Board further concludes that granting the requested relief will not tend to affect adversely the use of neighboring property in accordance with the Zoning Regulations and Map.

² To address the circumstance where DCRA might place a hold on the Applicant's permit application due to the filing of a solar panel permit by a nearby property owner, OP requested that the Applicant file a statement indicating that the project will be in compliance with § 400.24(b) and (c) related to the impact of additions on adjacent properties, which provides:

400.24 In an R-4 Zone District, the following provisions shall apply:

...

- (b) Any addition, including a roof structure or penthouse, shall not block or impede the functioning of a chimney or other external vent on an adjacent property required by any municipal code; and
- (c) Any addition, including a roof structure or penthouse, shall not interfere with the operation of an existing or permitted solar energy system on an adjacent property, as evidenced through a shadow, shade, or other reputable study acceptable to the Zoning Administrator.

(11 DCMR § 400.24.)

In response to OP's request, in his Supplemental Submission dated July 8, 2016, the Applicant attested that "the proposed addition or penthouse will neither block or impede the functioning of a chimney or an external vent nor interfere with the operation of an existing or permitted solar energy system." (Exhibit 35, p. 2.)

BZA APPLICATION NO. 19317

PAGE NO. 2

Pursuant to 11 DCMR § 3100.5, the Board has determined to waive the requirement of 11 DCMR § 3125.5, that the order of the Board be accompanied by findings of fact and conclusions of law. The waiver will not prejudice the rights of any party, and is appropriate in this case. It is therefore **ORDERED** that the application is hereby **GRANTED, AND PURSUANT TO § 3125.8, SUBJECT TO THE APPROVED REVISED PLANS AT EXHIBIT 36 – REVISED ARCHITECTURAL PLANS AND ELEVATIONS.**

VOTE: 3-0-2 (Anita Butani D’Souza, Robert E. Miller and Jeffrey L. Hinkle to APPROVE; Marnique Y. Heath and Frederick L. Hill, not participating).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

A majority of the Board members approved the issuance of this order.

FINAL DATE OF ORDER: July 20, 2016

PURSUANT TO 11 DCMR § 3125.9, NO ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN (10) DAYS AFTER IT BECOMES FINAL PURSUANT TO § 3125.6.

PURSUANT TO 11 DCMR § 3130, THIS ORDER SHALL NOT BE VALID FOR MORE THAN TWO YEARS AFTER IT BECOMES EFFECTIVE UNLESS, WITHIN SUCH TWO-YEAR PERIOD, THE APPLICANT FILES PLANS FOR THE PROPOSED STRUCTURE WITH THE DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS FOR THE PURPOSE OF SECURING A BUILDING PERMIT, OR THE APPLICANT FILES A REQUEST FOR A TIME EXTENSION PURSUANT TO § 3130.6 AT LEAST 30 DAYS PRIOR TO THE EXPIRATION OF THE TWO-YEAR PERIOD AND THAT SUCH REQUEST IS GRANTED. NO OTHER ACTION, INCLUDING THE FILING OR GRANTING OF AN APPLICATION FOR A MODIFICATION PURSUANT TO §§ 3129.2 OR 3129.7, SHALL EXTEND THE TIME PERIOD.

PURSUANT TO 11 DCMR § 3125, APPROVAL OF AN APPLICATION SHALL INCLUDE APPROVAL OF THE PLANS SUBMITTED WITH THE APPLICATION FOR THE CONSTRUCTION OF A BUILDING OR STRUCTURE (OR ADDITION THERETO) OR THE RENOVATION OR ALTERATION OF AN EXISTING BUILDING OR STRUCTURE. AN APPLICANT SHALL CARRY OUT THE CONSTRUCTION, RENOVATION, OR ALTERATION ONLY IN ACCORDANCE WITH THE PLANS APPROVED BY THE BOARD AS THE SAME MAY BE AMENDED AND/OR MODIFIED FROM TIME TO TIME BY THE BOARD OF ZONING ADJUSTMENT.

IN ACCORDANCE WITH THE D.C. HUMAN RIGHTS ACT OF 1977, AS AMENDED, D.C. OFFICIAL CODE § 2-1401.01 *ET SEQ.* (ACT), THE DISTRICT OF COLUMBIA DOES NOT DISCRIMINATE ON THE BASIS OF ACTUAL OR PERCEIVED: RACE, COLOR, RELIGION, NATIONAL ORIGIN, SEX, AGE, MARITAL STATUS, PERSONAL APPEARANCE, SEXUAL ORIENTATION, GENDER IDENTITY OR EXPRESSION, FAMILIAL STATUS, FAMILY RESPONSIBILITIES, MATRICULATION, POLITICAL AFFILIATION, GENETIC INFORMATION, DISABILITY, SOURCE OF INCOME, OR PLACE OF RESIDENCE OR BUSINESS. SEXUAL HARASSMENT IS A FORM OF SEX DISCRIMINATION WHICH IS PROHIBITED BY THE ACT. IN ADDITION, HARASSMENT BASED ON ANY OF THE ABOVE PROTECTED CATEGORIES IS PROHIBITED BY THE ACT. DISCRIMINATION IN VIOLATION OF THE ACT WILL NOT BE TOLERATED. VIOLATORS WILL BE SUBJECT TO DISCIPLINARY ACTION.

GOVERNMENT OF THE DISTRICT OF COLUMBIA

BOARD OF ZONING ADJUSTMENT

441 4TH STREET, N.W.
SUITE 200-SOUTH
WASHINGTON, D.C. 20001

PUBLIC NOTICE OF CLOSED MEETINGS FOR SEPTEMBER 2016

In accordance with § 405(c) of the Open Meetings Act, D.C. Official Code § 2-575 (c), on December 22, 2015, the Board of Zoning Adjustment voted 3-0-2 to hold *closed meetings telephonically on Mondays, September 12th, September 19th, and September 26th*, beginning at 4:00 p.m. for the purpose of obtaining legal advice from counsel and/or to deliberate upon, but not voting on the cases scheduled to be publicly heard or decided by the Board on the day after each such closed meeting, as those cases are identified on the Board's meeting and hearing agendas for September 13th, September 20th, and September 27th.

FOR FURTHER INFORMATION, PLEASE CONTACT THE OFFICE OF ZONING
AT (202) 727-6311.

**Marnique Y. Heath, Chairperson, Anita Butani D'Souza, Vice-Chairperson,
Frederick L. Hill, Jeffrey L. Hinkle, and a Member of the Zoning Commission.
Clifford W. Moy, Secretary of the Board of Zoning Adjustment
Sara A. Bardin, Director, Office of Zoning.**

**ZONING COMMISSION FOR THE DISTRICT OF COLUMBIA
NOTICE OF FILING
Z.C. Case No. 06-14D
(MidAtlantic Realty Partners, LLC – PUD Modification @ Square 3584)
July 21, 2016**

THIS CASE IS OF INTEREST TO ANCs 5E, 5D, and 6C

On July 18, 2016, the Office of Zoning received an application from MidAtlantic Realty Partners (“MRP”), LLC (the “Applicant”) for approval of a modification to a previously approved planned unit development (“PUD”) for the above-referenced property.

The property that is the subject of this application consists of Lots 814, 815, and 820-822 in Square 3584 in northeast Washington, D.C. (Ward 5), on property located at 100 Florida Avenue, N.E. The property is currently zoned MU-9 (formerly C-3-C).

The previously approved PUD included two buildings: the first building would contain 229,690 square feet of residential and hotel use; and the second building, which was divided into two towers (the North Tower and the South Tower), would include 601,896 square feet of office space. The Applicant is now proposing a modification in order to: 1) convert the North Tower of the office building to residential use; 2) reconfigure and redesign the South Tower of the office building; and 3) have the option of changing the office use in the South Tower to residential use, as long as the building massing and façade design do not change from what is shown in the revised plans for this modification applications.

This case was filed electronically through the Interactive Zoning Information System (“IZIS”), which can be accessed through <http://dcoz.dc.gov>. For additional information, please contact Sharon S. Schellin, Secretary to the Zoning Commission at (202) 727-6311.

District of Columbia REGISTER – July 29, 2016 – Vol. 63 - No. 32 009813 – 010131