

**COUNCIL OF THE DISTRICT OF COLUMBIA
COMMITTEE OF THE WHOLE
COMMITTEE REPORT**

1350 Pennsylvania Avenue, NW, Washington, DC 20004

TO: All Councilmembers
FROM: Chairman Phil Mendelson
Committee of the Whole
DATE: May 22, 2013
SUBJECT: Report on B20-199, the “Fiscal Year 2014 Budget Support Act of 2013”

The Committee of the Whole, to which B20-199 was referred, reports favorably thereon and recommends approval by the Council.

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I. BACKGROUND AND NEED

The purpose of Bill 20-199, the Fiscal Year 2014 Budget Support Act of 2013 (FY 2014 BSA), is to enact and amend various provisions of law that support the implementation of a balanced Fiscal Year 2014 budget and financial plan.

In addition to the subtitle-by-subtitle analysis set forth below, further background on B20-199 is available in the various committee budget reports. The committee print attached to this report contains FY 2014 BSA subtitles as recommended by the Committee of the Whole based on recommendations and feedback from the various Council committees. The Committee recognizes the importance of the policy recommendations set forth by the various committees in their individual budget reports. These policy recommendations play an important role in the performance and budget review process by the Council. The Committee expects the executive branch to work with individual committees to address the policy recommendations as a part of the Council’s continuing oversight activities.

II. LEGISLATIVE CHRONOLOGY

- March 15, 2013 Notice of public hearings on B20-199 is published in the *District of Columbia Register*
- March 28, 2013 Chairman Mendelson introduces B20-199 on behalf of the Mayor
- April 5, 2013 Notice of Intent to Act on B20-199 is published in the *District of Columbia Register*
- April 8, 2013 Committee of the Whole holds a public briefing on Bill 20-198, Bill 20-199, and the Mayor's Fiscal Year 2014 Proposed Budget and Financial Plan
- April 10 - May 2, 2013 Committees hold public hearings on the budgets of the agencies under their purview and the subtitles of the Fiscal Year 2014 Budget Support Act of 2013 that were referred to them for comments
- May 3, 2013 Committee of the Whole holds a public hearing on B20-198 and B20-199
- May 7-13, 2013 Committees mark up and approve their budget recommendations for Fiscal Year 2014
- May 22, 2013 Committee of the Whole marks up Bill 20-199

III. POSITION OF THE EXECUTIVE

Chairman Mendelson introduced B20-199 on behalf of the Mayor. On May 2, 2013, the Mayor transmitted an errata letter requesting that the Council incorporate various changes to the introduced version of Bill 20-199 and budget documents. The errata letter is included in the attachments to this report.

At the May 3, 2013 hearing on B20-199, Eric Goulet, Deputy Chief of Staff and Director of the Mayor's Office of Budget and Finance, presented testimony on behalf of the Mayor.

IV. COMMENTS OF ADVISORY NEIGHBORHOOD COMMISSIONS

The Committee received no testimony or comments from any Advisory Neighborhood Commission on B20-199.

V. LIST OF WITNESSES

The Committee of the Whole held a public hearing on B20-199 on May 13, 2013. The witness list was as follows:

1.	Ed Smith	President, IAFF Local 36
2.	Joslyn Williams	President, AFL-CIO Washington, D.C. Metro Council
3.	Barbara Lang	President and CEO, DC Chamber of Commerce
4.	David Schwartzman	DC Statehood Green Party
5.	David Bardin	Public Witness
6.	Judith Sandalow	Executive Director, Children’s Law Center
7.	Elinor Hart	Public Witness
8.	Tom Borger	Chairman, Borger Management Corp.
9.	Michelle Wilson	Division Manager, National Center for Children and Families Association
10.	Aaron Hargrove	Principal Broker, Washington Realty Brokers
11.	Cora Masters Barry	CEO & Founder, Recreation Wish List Committee and Founder
12.	Rob Pohlman	Executive Director, Coalition for Nonprofit Housing & Economic Development
13.	John Capozzi	Public Witness
14.	Charles Webb	President, Plaza West Cooperative
15.	Quinta Martin	President, Capital Overlook Condominium
16.	Daniel Brannen	Executive Director, Covenant House Washington
17.	Glen Rother	Director of Case Management, Coalition for the Homeless
18.	Nicole Handeman	Latin American Youth Center
19.	Jonathan Henry	Director of Development, Washington Yu Ying Public Charter School
20.	Kelly McShane	Executive Director, Community of Hope
21.	Marta Beresin	Staff Attorney, Washington Legal Clinic for the Homeless
22.	LaToya Edwards	Resident, DC General
23.	Kimberly Reed	Resident, DC General
24.	Lacrecia Kirk	Resident, DC General
25.	Fonda Downing	Resident, DC General

26.	Leonard Edwards	Board Member, Bread for the City
27.	Jean Badalamenti	Miriam's Kitchen
28.	Kurt Runge	Miriam's Kitchen
29.	Chitra Subramanian	Grantee, Humanities Council of Washington DC, DC Commission on Arts and Humanities
30.	Carolivia Herron	Vice President, Takoma Theatre Conservancy
31.	Loretta Neumann	President, Takoma Theatre Conservancy
32.	Ed Lazere	DC Fiscal Policy Institute
33.	Kate Coventry	DC Fiscal Policy Institute
34.	Masipula Sithole, Jr.	Rhythm for Recovery
35.	Kirsten Weiss	Executive Director, Project Create
36.	Claudia Thorne	Executive Director, Community Family Life Services
37.	Mary Lou Meccariello	Executive Director, ARC of D.C.
38.	Joel A. Powell	Executive Director, Powell House Project, Inc.
39.	Rosemary Segero	Hope for Tomorrow
40.	Jennifer Shreve	Director of Development, Capital Area Asset Builders
41.	Kelley Ellsworth	Executive Director, Byte Back
42.	Talib Karim	DC Green Health, Inc.
43.	Robert Warren	Director, People for Fairness Coalition
44.	Leona Redmond	Citywide Coordinator, Seniors Organized for Solutions Now
45.	Glen O'Gilvie	Center for Nonprofit Advancement
46.	Ann Loikow	DC Statehood, Yes We Can!
47.	Anise Jenkins	Public Witness
48.	Nathan Smith	Public Witness
49.	Eric Goulet	Deputy Chief of Staff and Budget Director, Office of the Mayor

VI. IMPACT ON EXISTING LAW

Bill 20-199 is a substantial and wide-ranging piece of legislation that would have a significant impact on existing law, as reviewed in the subtitle-by-subtitle analysis, *supra*.

VII. FISCAL IMPACT

B20-199 will have a significant and complex fiscal impact on the District and is necessary to balance and implement the FY 2014 budget. The fiscal impact of the legislation is set forth in the attached fiscal impact statement of the Office of the Chief Financial Officer.

VIII. SUBTITLE-BY-SUBTITLE ANALYSIS¹

Section 1 States the short title of B20-199.

TITLE I. GOVERNMENT DIRECTION AND SUPPORT

Subtitle A. Bonus and Special Pay Limitation: prohibits the award of most bonuses, special awards pay, and service awards in FY 2014.

Subtitle B. Innovation Fund Establishment: establishes the Innovation Fund and designates a grant managing entity to make sub-grants from the Fund for the purpose of promoting a growing economy, educational improvement, increasing sustainability, and improving the quality of life for all residents.

Subtitle C. Department of General Services Protective Services Division: addresses potential misperception that protective services security officers are law enforcement officials by renaming the division.

Subtitle D. Captive Insurance: renames the existing Medical Liability Captive Insurance Agency as the “Captive Insurance Agency” and expands the agency’s mission to include the provision of property insurance for District government real property assets.

Subtitle E. Technology Services Support: broadens the services that the Office of the Chief Technology Officer may offer to District and federal agencies.

Subtitle F. Eastern Market Jurisdiction Clarification: clarifies the authority of the Department of General Services in relation to the area surrounding Eastern Market.

Subtitle G. Community Affairs Grant-Making Authority: establishes grant-making authority for the Office on African Affairs (OAA); provides that grants administered by OAA, the Office on Latino Affairs, and the Office on Asian and Pacific Islander Affairs shall be conducted pursuant to the requirements of the Grant Administration Act of 2013.

Subtitle H. District of Columbia Government Comprehensive Merit Personnel: increases (from 6 to 10) the number of Excepted Service personnel that may be employed at the

¹ Due to the size and complexity of the committee print of Bill 20-199, this part of the report analyzes the legislation by subtitle, rather than by section.

District of Columbia Sentencing and Criminal Code Revision Commission; establishes a salary cap of \$253,000 for the Chief Medical Examiner.

Subtitle I. District of Columbia Uniform Law Commission: provides that the District may expend funds necessary to cover the costs of Uniform Law Commissioners' attendance at the annual meeting, their annual dues, and other expenses.

Subtitle J. Grant Administration: sets forth specific transparency, competition, clean-hands, reporting, and other requirements for grants to be issued pursuant to authority provided in the FY 2014 BSA.

Subtitle K. Discretionary Funds Renaming: provides a short title for an existing provision of law related to the use of discretionary funds.

TITLE II. ECONOMIC DEVELOPMENT AND REGULATION

Subtitle A. Deputy Mayor for Planning and Economic Development Limited Grant-Making Authority: establishes certain grant-making authority for the Deputy Mayor for Planning and Economic Development (DMPED) to be implemented pursuant to the requirements of the Grant Administration Act of 2013; transfers authority to make grants for parades and festivals from DMPED to the Commission on the Arts and Humanities.

Subtitle B. Workforce Investment Council and Workforce Intermediary Grant-Making Authority: provides grant-making authority to the Workforce Investment Council, to be implemented pursuant to the requirements of the Grant Administration Act of 2013.

Subtitle C. Unemployment Compensation Anti-Fraud Federal Conformity: aligns District penalties for individuals fraudulently receiving unemployment compensation with federal provisions.

Subtitle D. Unemployment Compensation Penalty Reduction: reduces (from 25% to 10%) the penalty for employers who fail to make proper unemployment compensation payments.

Subtitle E. Unemployment Compensation Benefits Changes Federal Conformity: pursuant to the federal Trade Adjustment Assistance Extension Act of 2011, prohibits the District from providing relief from charges to an employer's unemployment compensation account when an overpayment of benefits results from the employer's failure to provide adequate information to the Department of Employment Services (DOES).

Subtitle F. Workers' Compensation Average Weekly Wage Calculation Alignment: amends the methodology used by DOES to calculate the average weekly wage for purposes of calculating workers' compensation benefits.

Subtitle G. Wage Theft Prevention: enhances the authority of DOES to address cases of wage theft; allows DOES to pursue liquidated damages in such cases.

Subtitle H. Housing Production Trust Fund Revenue Dedication: repeals the authority of the Mayor to transfer funds from the Housing Production Trust Fund (HPTF) to the Local Rent Supplement Program (LRSP).

Subtitle I. Senior Housing Modernization Grant Fund: transfers administration of the Senior Housing Modernization Grant Fund from DMPED to the Director of the Department of Housing and Community Development; increases the maximum grant award from \$5,000 to \$20,000; priorities lower-income applicants; applies the provisions of the Grant Administration Act of 2013 to the grants from the Fund.

Subtitle J. Local Rent Supplement Sustainment: prevents attrition of tenant-based LRSP vouchers by requiring that LRSP vouchers be reissued upon becoming vacant; authorizes vacant tenant-based LRSP vouchers to be provided to homeless families referred by the Department of Human Services.

Subtitle K. Walter Reed Army Medical Center Community Advisory Committee: establishes an 11-member advisory committee for the redevelopment of the Walter Reed Army Medical Center site.

Subtitle L. Foster Youth Transit Subsidy: provides that youth in the District's foster care system shall be eligible for public transit subsidies until they reach 21 years of age.

Subtitle M. Housing Production Trust Fund Securitization: repeals the authority of the Mayor to use HPTF funds to secure bonds issued for the benefit of the New Communities Initiative or other purposes consistent with the Housing Production Trust Fund uses; prohibits securitization of funds for the purpose of funding the New Communities Initiative.

Subtitle N. African-American Civil War Memorial Freedom Foundation Inc. Museum Development: requires that the District not sell, lease, or otherwise dispose of the Grimke School (1925 Vermont Ave., NW) without a covenant providing for exclusive use of at least 10,000 ft² by the African-American Civil War Memorial Museum and Visitor's Center.

Subtitle O. NoMa Parks Grant Authorization: authorizes the director of DGS to issue grants, pursuant to the Grant Administration Act of 2013, to the NoMa Business Improvement District, the NoMa Parks Foundation, or a related Friends of NoMa Parks organization to acquire land and build public parks and space in accordance with the NoMa Public Realm Design Plan; authorizes the grants to be made from funds transferred or reprogrammed to DGS.

TITLE III. PUBLIC SAFETY AND JUSTICE

Subtitle A. Department of Corrections Central Cellblock Management: transfers management and operation of the Central Cellblock from the Metropolitan Police Department to the Department of Corrections.

Subtitle B. Security License Streamlining: provides that fees received for security officer licenses shall be deposited into the Occupations and Professions Licensing Special Account under the Department of Consumer and Regulatory Affairs.

Subtitle C. Automated Traffic Enforcement Enhancement: provides that greater-than-certified revenues generated by automated photo enforcement of traffic laws be deposited into the Emergency and Non-Emergency Number Telephone Calling Systems Fund.

Subtitle D. Domestic Violence Hotline Establishment: requires the Office of Victim Services to establish a Domestic Violence Hotline following a one-year planning period.

Subtitle E. Juvenile Working Group Establishment: establishes a working group to develop a differential response policy, program, and budget for juvenile arrests with the goal of diverting more youth from arrest, prosecution, overnight detention, or pre-trial detention.

Subtitle F. Fire and Emergency Medical Services Overtime Limitation: imposes restrictions (similar to those imposed for Fiscal Years 2011 through 2013) on the use of overtime at the Fire and Emergency Medical Services Department.

Subtitle G. Returning Citizens Clarification: renames the Office on Ex-Offender Affairs as the “Office on Returning Citizens Affairs”; renames the Commission on Re-Entry and Ex-Offender Affairs as the “Commission on Re-Entry and Returning Citizen Affairs”; replaces the statutory use of the term “ex-offenders” with the term “returning citizens.”

Subtitle H. Criminal Justice Coordinating Council Criminal Justice Agency: designates the Criminal Justice Coordinating Council as a criminal justice agency for purposes of data sharing.

TITLE IV. PUBLIC EDUCATION

Subtitle A. Funding for Public Schools and Public Charter Schools: establishes the per-student funding formula for the 2012-2013 school year.

Subtitle B. Public Charter School Payment Improvement: revises and clarifies the payment schedule for the public charter schools.

Subtitle C. State Athletic Activities, Programs, and Office Fund: authorizes the Mayor, through the Office of the State Superintendent of Education, to enter into agreements for

advertisements and sponsorships for athletic activities and programs; establishes a special fund to provide financial support of state athletic programs and competitions.

Subtitle D. University of the District of Columbia Accreditation: adds four non-voting members to the Board of Trustees for the University of the District of Columbia (UDC) to provide guidance in the accreditation process for the Community College; requires UDC to submit to the Council a timeline for the separate accreditation of the Community College; sets forth a procedure for UDC to receive \$1 million from Non-Departmental as a one-to-one match to funds that UDC may raise for the purpose of meeting accreditation standards.

Subtitle E. Library Collections Account: changes the name of the Books and Other Library Materials Account to the “Library Collections Account” to align the name with appropriations language.

Subtitle F. State Board Personnel: authorizes the State Board of Education may appoint staff to serve an administrative role for the elected members of the Board; provided, that funding is available and that at least three FTEs are appointed to the Office of Ombudsman for Public Education.

Subtitle G. Attendance Zone Boundaries: establishes notice requirements that must be met before school attendance zone boundaries may be altered.

Subtitle H. Public Education Master Facilities Plan Approval: approves the 2013 Master Facilities Plan for public education facilities.

Subtitle I. Deputy Mayor for Education Limited Grant-Making Authority: provides grant-making authority to the Deputy Mayor for Education for FY 2014 for the purpose of providing a capital grant for the construction of a language-immersion public charter school.

Subtitle J. Education Funding Formula Equity: requires that beginning in Fiscal Year 2015, the District must provide services to District of Columbia Public Schools (DCPS) and Public Charter Schools on an equal basis.

Subtitle K. South Capitol Street Memorial: amends the subject-to-funding provision of the South Capitol Street Memorial Act of 2012 to clarify that certain provisions of the act are funded vis-à-vis DCPS and shall be implemented by charter schools upon the availability of funding.

TITLE V. HEALTH AND HUMAN SERVICES²

² The introduced version of the FY 2014 BSA included a subtitle known as the “Homeless Services Reform Amendment Act of 2013.” This subtitle has been stricken from the committee print, with the understanding that the Council will have a vote on standalone legislation (identical to the stricken subtitle) prior to the 2013 summer recess.

Subtitle A. DC HealthCare Alliance Preservation: makes permanent the FY 2013 elimination of DC HealthCare Alliance coverage for Medicaid-eligible emergency hospital services.

Subtitle B. Department of Health Care Finance Establishment: establishes a special Assessment Fund under the Department of Health Care Finance (DHCF) to receive user fees and enrollment fees.

Subtitle C. Stevie Sellows Intermediate Care Facility Quality Improvement: authorizes DHCF to use the Stevie Sellows Quality Improvement Fund to pay administrative costs it may incur during certain audits.

Subtitle D. Development Disabilities Service Management Reform: establishes a special fund to be administered by the Department of Disability Services for the purpose of funding the Ticket to Work and Self-Sufficiency Program.

Subtitle E. Medical Assistance Program: repeals State Plan Amendment approvals from previous fiscal years.

Subtitle F. Department of Human Services Conforming Amendments: brings District law on Temporary Assistance to Needy Families (TANF) eligibility requirements into conformity with federal law.

Subtitle G. Department of Health Functions Clarification: provides grant-making authority to the Department of Health for a number of specified amount and purposes.

Subtitle H. Medicaid Hospital Outpatient Supplemental Payment: authorizes DHCF to establish a hospital provider fee to generate revenues to be used to make Medicaid access payments for the provision of outpatient hospital services.

Subtitle I. Department of Parks and Recreation O-Type: makes the Recreation Enterprise Fund non-lapsing.

Subtitle J. Department of Behavioral Health Establishment: establishes the Department of Behavioral Health (DBH), transferring the functions of the Department of Mental Health and the Addiction Recovery and Prevention Administration to the new agency.

Subtitle K. Public Assistance: delays, by one year, the reduction and eventual termination of TANF benefits for families that have received TANF benefits for more than 60 months.

Subtitle L. Department of Human Services Memorandum of Understanding Authority for Substance Abuse Treatment: authorizes the Department of Human Services to

enter into a memorandum of understanding for up to \$2.5 million with DBH for a substance abuse program for TANF recipients.

Subtitle M. Public Assistance Human Impact: mandates a study to assess the impact of the second round of TANF benefit cuts for families who have received TANF benefits for more than 60 months.

Subtitle N. Temporary Assistance for Needy Families Time Limit: establishes eligibility for the POWER program if the head of the family is either 1) the parent of a minor child and is needed at home to care for a physically or mentally incapacitated household member, 2) the parent of a minor child and is receiving counseling or services as the victim of domestic violence, or 3) a pregnant or parenting individual under 19 years of age who is enrolled in high school or a GED program and meets work requirements under a TANF Individual Responsibility Plan; provides an exemption from the 60-month limit on TANF benefits for an individual who is 1) a minor child and not the head of an assistance unit or married to the head of the assistance unit, 2) a parent or caretaker who is 60 or more years of age, or 3) an accredited post-secondary education program or a DOES-approved training program that leads to a degree or certificate.

Subtitle O. Interim Disability Assistance: establishes the decision of the Disability Determination Division or Administrative Law Judge as the final decision of the Social Security Administration (SSA) for purposes of the Interim Disability Assistance (IDA) program; would allow an applicant to continue pursuing appeals under the SSA process, but the local IDA benefits would be terminated as of that decision.

TITLE VI. TRANSPORTATION, PUBLIC WORKS, AND THE ENVIRONMENT

Subtitle A. Safety-Based Traffic Enforcement Fine Reduction: sets fine levels for various traffic violations.

Subtitle B. Department of Motor Vehicles Immobilization: requires that the owner of a vehicle that has been immobilized (or “booted”) shall pay all outstanding fees, charges, fines, or penalties incurred under various provisions of law prior to removal of the immobilization device.

Subtitle C. Stormwater in Lieu Fee Special Fund: establishes a non-lapsing special fund under the District Department of the Environment (DDOE) to receive revenues from payments in lieu of stormwater retention credits for major development projects.

Subtitle D. District Department of Transportation Parking Meter Revenue: redirects curbside parking meter fees from a variety of special-purpose funds to the Washington Metropolitan Area Transit Authority (WMATA) operating subsidy; repeals certain special-purpose funds under the District Department of Transportation (DDOT).

Subtitle E. Accessible Public Vehicles-for-Hire Funding Amendment: directs certain taxicab fee revenues to be used to increase the number of wheelchair-accessible public vehicles-for-hire.

Subtitle F. Bicycle Advisory Council Chair Amendment: provides that the chair of the Bicycle Advisory Council shall be elected from among the 13 community representatives.

Subtitle G. Priority Sidewalk Assurance Amendment: requires that a sidewalk be installed when a curb or gutter is installed; current law requires sidewalk installation only when an existing curb or gutter is replaced.

Subtitle H. Pesticide Registration Fund Preservation: establishes the Pesticide Registration Fund as a non-lapsing special fund to be administered by DDOE for the administration of pesticide programs.

Subtitle I. Public Space Cleaning Grants: authorizes the Department of Small and Local Business Development to award grants for Clean Teams to provide clean-team services to three designated areas; the grants are to be administered pursuant to the requirements of the Grant Administration Act of 2013.

Subtitle J. Transportation Fine and Fee Adjustment: sets fees for the DC Circulator, commuter buses, and the violation of parking on a street cleaning route during a prohibited period.

Subtitle K. Safety Justification for Traffic Control Officers Placement: requires DDOT to justify the placement of Traffic Control Officers (TCOs) based on safety and provide other information related to TCOs.

Subtitle L. District Department of Transportation DC Circulator: authorizes the DC Circulator program to receive revenues from National Park Service parking meters on the National Mall.

Subtitle M. District Department of Transportation Jurisdiction: authorizes the director of DDOT to enter into agreements with neighboring jurisdictions to carry out transportation projects.

Subtitle N. Representation Tags: allows members of the Council to choose to be issued an identification tag, or a tag designating the member's ward of representation or at-large status.

Subtitle O. Automated Traffic Enforcement Safety: mandates that conduct a study related to the placement of each automated traffic camera; requires the Mayor to provide a written justification for the placement of cameras at locations where fewer than five accidents and vehicle-related issues have been reported in the previous two years.

TITLE VII. FINANCE AND REVENUE

Subtitle A. Subject to Appropriations Repealers: repeals the subject-to-funding provisions for a number of acts to reflect the fact that they are currently funded or will be funded in the budget and financial plan pursuant to the Fiscal Year 2014 Budget Request Act of 2013:

- Law 18-260, the Land Acquisition for Housing Development Opportunities Program Act of 2010
- Law 18-211, the UNCF Tax Abatement and Relocation to the District Assistance Act of 2010
- Law 19-151, the Carver 2000 Low-Income and Senior Housing Project Amendment Act of 2012
- Law 19-253, the Elizabeth Ministry, Inc. Affordable Housing Initiative Real Property Tax Relief Act of 2012
- Law 19-153, the King Towers Residential Housing Real Property Tax Exemption Clarification Act of 2012
- Law 19-184, the Taxicab Service Improvement Amendment Act of 2012, effective October 22, 2012
- Law 19-178, the 8th Street Plaza Condominium Association, Inc. Clarification Act of 2012
- Law 19-285, the Israel Senior Residences Tax Exemption Act of 2012
- Law 18-228, the Families Together Amendment Act of 2010
- Law 18-230, the Adoption Reform Amendment Act of 2010
- Act 19-661, the District of Columbia Flood Assistance Fund Act of 2012
- Law 18-371, the Procurement Practices Reform Act of 2010
- Law 19-284, the State Board of Education Personnel Authority Amendment Act of 2012
- Law 19-270, the Public Vehicle-for-Hire Innovation Amendment Act of 2012
- Law 19-257, the Howard Town Center Real Property Tax Abatement Act of 2012 (as amended; for an amount of \$800,000 per year, not to exceed \$8 million in the aggregate over 10 years)
- Law 19-300, the Workplace Fraud Amendment Act of 2012
- Law 19-283, the Schedule H Property Tax Relief Act of 2012

This subtitle also clarifies that the exemption provided by Law 19-51, the “United House of Prayer for All People Real Property Tax Exemption Act of 2011,” shall apply as of March 1, 2011.

Subtitle B. Tax Increment Revenue Bonds DC USA Project Extension: extends the dedication of tax increment revenue from the DC USA project until the revenue bonds issued in support of that project are paid in full.

Subtitle C. Delinquent Debt Recovery: authorizes the Central Collection Unit to collect delinquent debt on behalf of UDC and the Not-For-Profit Hospital Corporation; establishes the UDC Debt Collection Fund; directs the transfer of the collected revenues to the UDC Debt Collection Fund and the Not-For-Profit Hospital Corporation Fund.

Subtitle D. Bank Fees Special Fund: establishes a non-lapsing special fund to receive interest earned on public funds under the custody of the Chief Financial Officer for the purpose of paying bank fees and charges.

Subtitle E. Affordable Housing Real Property Tax Relief: sets forth a technical fix to continue real property tax exemptions for affordable housing projects that participate in certain federal housing assistance programs.

Subtitle F. Beulah Baptist Church Real Property Equitable Tax Relief: extends the real property tax exemption for Beulah Baptist Church from 2010 to 2020.

Subtitle G. GALA Hispanic Theatre Real Property Tax Abatement: provides a real property tax abatement for property leased by the GALA Hispanic Theatre so long as GALA continues to lease the space and uses it for staging live theatre.

Subtitle H. Out-of-State Municipal Bond Tax Repeal: permanently repeals the application of the income tax to interest earned on out-of-state municipal bonds.

Subtitle I. Mandarin Hotel Fiscal Year 2013 and Fiscal Year 2014 Fund Transfers: requires the Chief Financial Officer to recognize as local fund revenue the additional tax increment revenue in FY 2013 and 2014 above that needed for debt service for the Mandarin Oriental Hotel Project Bonds.

Subtitle J. Combined Reporting Clarification: makes permanent combined reporting laws previously enacted on a temporary basis and clarifies certain aspects of combined reporting.

Subtitle K. First Congregational United Church of Christ Tax Relief: specifies the total tax refund due to the First Congregational United Church of Christ.

Subtitle L. Tregaron Conservancy Tax Exemption and Relief: forgives real property, deed recordation, and deed transfer taxes, penalties, and interest assessed on certain real property conveyed to the Tregaron Conservancy; directs the refund of certain payments previously made.

Subtitle M. Adams Morgan Hotel Real Property Tax Abatement Jobs Requirement Clarification: reduces (from 765 to 342) the number of construction positions that must be filled by District residents for the Adams Morgan Hotel project to continue to qualify for its real property tax abatement.

Subtitle N. Tax Revision Commission Extension and Procurement Streamlining: extends the deadline for the Tax Revision Commission to produce its report and recommendation to December 31, 2013; makes permanent an existing temporary provision that authorizes the Commission to establish a streamlined noncompetitive procurement process for goods or services under \$40,000.

Subtitle O. Tax Clarifications: clarifies the application of deed transfer and recordation taxes to properties eligible for exemption from real property tax; makes permanent certain tax clarifications previously enacted on a temporary basis; makes a technical amendment to restore provisions of Law 18-315 that were inadvertently amended over by Law 19-171, the Technical Amendments Act.

Subtitle P. Tax Abatement Financial Analysis Requirements: revises the financial analysis requirements for real property tax abatement legislation.

Subtitle Q. Clarification of Personal Property Tax Revenue Reporting: makes permanent an existing temporary requirement that personal property tax be reported in the fiscal year in which it is collected.

Subtitle R. Income Tax Withholding Statements Electronic Submission: mandates that employers required to withhold employees' income tax shall prepare a statement required by the Chief Financial Officer; provides that employers required to submit 25 or more such statements shall submit them in electronic format; allows the Chief Financial Officer to waive the electronic reporting requirement after a showing of undue hardship.

Subtitle S. Clean Hands: expands the application of the clean hands statute to prohibit the issuance of a license or permit to an applicant who has failed to file required District tax returns.

Subtitle T. Income Tax Standard Deduction Clarification: aligns the standard deduction for married persons filing separately with the deduction established for other taxpayers.

Subtitle U. Destination DC Clarification: provides that the annual transfer of \$3 million from the General Fund to the Washington Convention Center Marketing Fund shall increase with inflation as measured through the Consumer Price Index; repeals the requirement that no more than two public Washington Convention and Sports Authority Board members may be appointed from any one ward of the District.

Subtitle V. Tibetan Community Real Property Tax Exemption and Relief: provides a real property tax exemption for certain property owned and used by the International Campaign for Tibet.

Subtitle W. Contingency Cash Reserve Notification: requires that the Council be notified within three business days of an allocation from or use of the contingency cash reserve fund.

Subtitle X. Dedicated Funding for the Commission on Arts and Humanities Commission: mandates that, on an annual basis, up to \$22 million of incremental new sales tax revenue, as reported in the Comprehensive Annual Financial Report, be deposited into a segregated account for the purpose of funding CAH; this amount would offset any local funds budgeted for CAH until CAH is solely funded by this revenue source.

Subtitle Y. Bryant Mews Homeowners Association Equitable Real Property Tax Relief: orders that all real property taxes, interest, fees, and related charges for certain property owned by the Bryant Mews Homeowners Association, for tax years 1989 through 2007, be forgiven; cancels pending tax sales for the same property.

Subtitle Z. Basilica of the National Shrine of the Immaculate Conception Real Property Tax Exemption: exempts from real property taxation certain property owned and used by the Basilica of the National Shrine of the Immaculate Conception for non-commercial purposes; orders the forgiveness of real property, deed transfer, and deed recordation taxes, penalties, fees, and related charges for the same property for the period of July 2012 through the effective date of the B20-199.

Subtitle AA. Jubilee Housing Residential Rental Project Property Tax Exemption: exempts from real property taxation certain property owned by Jubilee Housing, Inc., or Jubilee Housing Limited Partnership, so long as the property continues to be owned by those entities and is under applicable use restrictions during a federal low-income housing tax credit compliance period.

Subtitle BB. Marriage Equality Estate Tax Clarification: directs the Chief Financial Officer to amend all estate tax forms, filing instructions, and regulations necessary to indicate that all married couples are eligible for certain estate tax deductions and exclusions, regardless of whether the marriage is recognized under federal law.

Subtitle CC. Motor Vehicle Fuel Tax: repeals the \$0.235-per-gallon tax on motor vehicle fuel; establishes in its place an 8.3% tax on the wholesale price of motor vehicle fuels.

Subtitle DD. Title-Holding Entity Real Property Tax Exemption: provides an automatic real property tax exemption for an entity whose activities are limited to holding record title on behalf of a parent entity to property that would otherwise be tax exempt, in order to allow non-profit entities to tax advantage of New Markets Tax Credits and Historic Preservation Tax Credits.

Subtitle EE. Internet Sales Tax and WMATA Momentum Fund Establishment: requires remote vendors who sell via the internet property or render a service to a purchaser in

the District to collect and remit sales and use taxes; directs the revenues from these taxes to the General Fund to offset revenue collected from automated traffic enforcement; establishes a special fund under the Chief Financial Officer to receive automated traffic enforcement revenue that has been offset by the internet sales tax for the purpose of assisting WMATA in funding its strategic plan.

Subtitle FF. Age-in-Place and Equitable Senior-Citizen Real Property and Relief Payment Plan: repeals the subject-to-funding provision for Law 19-165, the Age-in-Place and Equitable Senior Citizen Real Property Act of 2012; links the \$125,000 income cap in the act to inflation as measured through CPI.

TITLE VIII. CAPITAL BUDGET

Subtitle A. Waterfront Park Bond: authorizes excess funds held by the DOT PILOT bond trustee to be spent on capital costs of the park known as Yards Park.

Subtitle B. Capital Capacity Expansion: authorizes the Chief Financial Officer to apply standard tax compliance procedures to collect delinquent amounts from payers of the ballpark fee.

Subtitle C. Pay-as-you-go Capital Account and Streetcar Funding Dedication: mandates that the Pay-as-you-go Capital Account to be established in the FY 2017 budget shall be used to fund the Streetcar Project until the construction of the streetcar system is complete; requires that in the fiscal year after the system is complete, the funds in the Pay-as-you-go Capital Account be used to reduce future District borrowing for capital purposes.

Subtitle D. Great Streets Neighborhood Retail Priority Area: prohibits the issuance of new bonds for the Downtown Retail Priority Area and “Great Streets” Retail Priority Areas after March 1, 2013; establishes three new retail priority areas (Rhode Island Ave., NE; Bladensburg Rd., NE; North Capitol Street); expands the existing Petworth Retail Priority Area and renames it the “Ward 4 Georgia Avenue Priority Area.”

Subtitle E. Waterfront Park at the Yards: sets forth certain provisions necessary to implement the Waterfront Park Maintenance and Programming Agreement between the District, Forest City, LLC, and the Capitol Riverfront Business Improvement District.

Subtitle F. Capital Project Rescission: rescinds \$750,000 of FY 2013 PAYGO allotment for capital project PL110C, “MPD Building Renovations/Construction” and directs the CFO to recognize the same amount as FY14 revenue; rescinds \$386,108 of FY 2013 PAYGO allotment for capital project AW707C, “Boathouse Row” and adds the same amount to capital project EB008C, “New Communities.”

TITLE IX. COUNCIL REPORTING REQUIREMENTS: establishes procedures for reports required to be submitted to the Council; imposes a number of reporting requirements on various agencies.

TITLE X. FISCAL IMPACT AND EFFECTIVE DATE: sets forth the applicability provision, fiscal impact, and effective date of the act.

IX. COMMITTEE ACTION

On May 22, 2013, the Committee met to consider Bill 20-199, the “Fiscal Year 2014 Budget Support Act of 2013.” The meeting was called to order at ____ a.m., and B20-199 was item ____ on the agenda. After ascertaining a quorum (Chairman Mendelson and Councilmembers ____), Chairman Mendelson moved both the print and the report with leave for staff to make technical, conforming, and editorial changes. Following an opportunity for discussion, the vote on the motion _____. The meeting adjourned at ____ a.m.

X. ATTACHMENTS

1. B20-199 as introduced.
2. Fiscal impact statement for B20-199.
3. Legal sufficiency determination.
4. Committee print of B20-199.