



01/13/2015

Members:

The DC Chamber is committed to providing updated legislative information as it may impact its committee members. As such, we are furnishing this report of legislative matters to the Government Affairs Committee members. You will find information on hearings, current issues upon which the Chamber is working, current legislation, as well as any news. Please find below our consolidated enumeration of Council / legislative items.

LEGISLATIVE UPDATE

Wage Theft Amendments

As previously discussed, the Chamber will be involved in amending the Wage Theft law for its changes to timekeeping and pay periods for salaried employees. We sent out a separate email on the issue yesterday, January 12, and also include it here.

Wage Theft legislation which will go into effect after the Congressional Review period ends later this month/early next month. Please see attached Act and the following summary done by Proskauer. <http://www.proskauer.com/publications/client-alert/dc-amends-wage-theft-act-to-increase-employer-obligations-and-penalties>

If your business practices will be changed by this new law and you have issues or concerns we would greatly appreciate hearing from you by noon on Thursday, January 15th. This way we can build a coalition of concerned businesses regarding Wage Theft. Please contact the Chamber by replying to this email or sending an email to David L. Goldblatt at dgoldblatt@gmpllp.com.

Currently the three issues we are concerned with are:

1. Requirement to Pay Exempt Employees At Least Twice a Month: Some employers currently only pay employees once a month. Those employers their payment structure for exempt employees will now have to change and with only a month till the law goes into effect, this will be very difficult for employers.



2. Record Keeping for Exempt Employee Hours: Many businesses would have difficulty tracking the precise times worked for exempt employees generally, which would be contrary to how exempt employees have historically been treated.

3. Notice to Employees: Every employer must provide all of its current employees with an updated written notice within 90 days of the laws effective date and whenever the above information is amended in the employee's primary language. Every employer must keep written copies of such notices plus an employee's acknowledgement of receipt. Figuring out native language and keeping the records within the first 90 days will be extremely difficult.

Economic Impact Taskforce

The Council adopted new rules for Period 21. Those rules include the requirement that economic impact statements be issued with legislation. This has been on the Chamber's Fix List for some time. Beginning January 1, 2016 economic impact analysis will be due at First reading before the entire Council. It will be prepared by the Council's budget office. The analysis won't determine if a bill can move forward, but will be for informative purposes.

The Chamber will be creating an Economic Impact Analysis Taskforce. If you would like to participate in this taskforce, please contact David Goldblatt: 202-630-6432 or dgoldblatt@gmpllp.com.

Campaign Finance

For your reference, we have attached information on the new campaign finance rules. The Office of Campaign Finance offers training seminars on the requirements of the new law from noon-1P on January 8, 15, 22, and 31st. The training is informal with brown bag encouraged.

All Training Seminars are conducted in the Library of the Office of Campaign Finance located at 2000 - 14th Street, N.W., Suite 433, Washington, D.C. 20009. To register to attend a seminar, or if you have any questions regarding the new law, please contact the Office of the General Counsel on (202) 671-0542.

(To see more discussions on current issues with which the Chamber is involved, please see the previous Committee updates.)

LEGISLATIVE INTRODUCTIONS

The first Legislative meeting of Council Period 21 was held on January 6th. The following legislation was introduced at the Legislative meeting:

Grosso

Pre-K Student Discipline Amendment Act of 2015: Co-introducers: all Councilmembers. This bill would ban the suspension or expulsion of children in the grades prior to kindergarten in any publicly-funded early childhood education program, and establish reporting requirements regarding

suspensions and expulsions in all schools. Co-sponsors: (none). Referred to the Committee on Education.

Instant Runoff Voting Amendment Act of 2015: Co-introducers: Silverman, and Cheh. This bill would institute instant runoff elections beginning with the 2018 primary elections for Mayor, Councilmember, and Attorney General. Co-sponsor: Allen. Referred to the Committee on Judiciary.

Cheh

Rail Safety and Security Amendment Act of 2015: Co-introducers Allen and Grosso. D.C. Fire and Emergency Medical Services Department would be given the authority to participate in carrying out rail safety inspection activities and to coordinate with the state safety office of any state with a rail system that operates in the District; and authorizes the DC government to establish an Office of Civil Defense, and require the DC Homeland Security and Emergency Management Agency to receive and review rail transportation security plans. Co-sponsors: Bonds. Referred to the Committee on Judiciary with comments from the Committee on Transportation and the Environment.

Motor Vehicle Collision Recovery Act of 2015: Co-introducers Evans, Grosso, Bonds, and Allen. The current doctrine of comparative negligence would be replaced with a restricted contributory negligence. This bill is an amended version of the Vulnerable User Recovery bill that was not passed in Council Period 20. Co-sponsor: Alexander. Referred to the Committee on Judiciary.

Access to Emergency Epinephrine in Schools Act of 2015: Co-introducers (none). All DC schools would be required to adopt policies allowing staff to use school-owned epinephrine pens in suspected cases of anaphylactic shock, and to waive liability in the good-faith use of these pens. Co-sponsors: McDuffie, Allen and Silverman. Referred to the Committee on Education with comments from the Committee on Health and Human Services.

Alexander

Healthy Hearts of Babies Act of 2015: Co-introducers Evans, Bonds, Grosso, Allen, and Cheh. Critical congenital heart defect (pulse oximeter) screenings would be required for all newborns. Co-sponsor: Mendelson. Referred to the Committee on Health and Human Services.

Behavioral Health Coordination of Care Amendment Act of 2015: Co-introducer Grosso, McDuffie and Cheh. The bill would allow limited sharing of mental health records by medical professionals in an effort to improve care. Co-sponsors: Referred to the Committee on Health and Human Services.

Health Benefit Exchange Authority Financial Sustainability Amendment Act of 2015: Co-introducers (none). The bill modifies the funding structure for the Health Benefit Exchange which is required by federal law to be self-sustaining. Co-sponsors: Referred to the Committee on Health and Human Services.

McDuffie

Ruby Whitfield Way Designation Act of 2015: Co-introducer Allen. This bill would ceremonially rename the 1100 block of Florida Avenue, NE for Ruby Whitfield, a pedestrian killed when hit by a car in this block. Co-sponsors: Grosso and Silverman. Referred to the Committee of the Whole.

Fairness in Public Engagement During Sale of Public Lands Amendment Act of 2015: Co-introducers (none). This bill would require public meetings to be held in affected neighborhoods when the District plans to dispose of real property. Co-sponsors: Alexander, Cheh, Nadeau, Bonds, Allen, and Silverman. Referred to the Committee of the Whole.

The High Technology Investment Authority Establishment Act of 2015: Co-introducers Grosso. This bill is a reintroduction of a bill that did not get passed in Council Period 20. It would establish a new government agency focusing on technology by allowing the DC government to be an angel investor. The bill is already under review to make legally feasible amendments. Co-sponsors: Alexander, Allen, and Bonds. Referred to the Committee of the Whole.

Evans

Pennsylvania Avenue Development Act of 2015: Co-introducers (none). The bill would reestablish the Pennsylvania Avenue Development Corporation which would coordinate the redevelopment of the corridor with relevant federal and local agencies. Co-sponsors: Bonds, Cheh, Orange, and Alexander. Referred to the Committee of the Whole.

Disabled Veterans Homestead Exemption Act of 2015: Co-introducers (none). Co-sponsors: Cheh, Bonds, Orange, Alexander, Allen, Grosso, McDuffie, Nadeau. Referred to the Committee on Finance and Revenue.

Council Contract Review Repeal Act of 2015: Co-introducers Silverman, Nadeau, Bonds, Grosso, Alexander, and Allen. The Council would be removed from the contract review process. This is a reintroduction and for the first time has support of a majority of the members of the Council. A hearing may be held on the issue. Co-sponsors: (none). Referred to the Committee of the Whole.

Allen

Small Business Incubator Act of 2015: Co-introducers Silverman, Grosso, Evans, Nadeau, McDuffie, Orange, and Mendelson. A new 90-day temporary business license category and a 180-day temporary certificate of occupancy would be created. Buildings utilizing this program for a minimum period of time would be exempt from vacancy tax rates. Co-sponsors: (none). Referred to the Committee on Business Consumer and Regulatory Affairs.

Collaborative Reproduction Amendment Act of 2015: Co-introducers all Councilmembers. Surrogacy agreement laws would be amended to be less restrictive. Co-sponsors: (none). Referred to the Committee on Judiciary.

Orange

Prohibition of Pre-Employment Marijuana Testing Act of 2015: Co-introducers Grosso and Bonds. The policy is already effective, based on the Emergency and Temporary versions that are already effective. This bill would ban employers from testing their potential employees for marijuana use before a conditional offer of employment is made. Co-sponsor: Allen. Referred to the Committee on Business Consumer and Regulatory Affairs.

Unemployment Profile Act of 2015: Co-introducer Nadeau. Co-sponsors: Bonds. The intent to the legislation is to require the government to create an accurate profile of the District's unemployed citizens, so as to better pair the unemployed with current and future economic development projects. Referred to the Committee on Business Consumer and Regulatory Affairs.

Change for Life District Donation Parking Meters Fund Act of 2015: Co-introducers (none). The bill would authorize the installation of 40 modified parking meters in areas with high pedestrian traffic, to be used as donation receptacles for homelessness service programs. Co-sponsor Alexander. Referred to the Committee of the Whole and Committee on Transportation and the Environment.

Reading Development and Third Grade Retention Act of 2015: Co-introducers (none). This was a reintroduction of previous legislation that sets standards for children in the third grad to independently read, write and do arithmetic. Co-sponsors: (none). Referred to the Committee on Education.

Thurgood Marshall-Marion Barry Early Education Learning Academy Act of 2015: Co-introducers (none). This is a reintroduction of a previous bill that would create an early education pilot program in the Fort Lincoln neighborhood that would incrementally expand yearly. Co-sponsors: (none). Referred to the Committee on Education.

Mendelson

Access to Contraceptives Amendment Act of 2015: Co-introducers Grosso, Nadeau, McDuffie, Silverman, Evans, Allen, Alexander, and Cheh. Birth control would be required to be issued in a complete twelve month supply. Co-sponsors: Bonds, and Orange. Referred to the Committee on Health and Human Services.

Enhanced Penalties for Distracted Driving Amendment Act of 2015: Co-introducers Bonds, Allen, and Nadeau. The bill would increase the fines for those who are found to have repeatedly engaged in distracted driving, culminating in a driver's license suspension for those who have three violations within eighteen months. Co-sponsors: (none). Referred to the Committee on Transportation and Environment.

Contractor Pay-to-Play Elimination Amendment Act of 2015: Co-introducers: Grosso, Allen, Nadeau, Alexander, and Cheh. This bill is a reintroduction from Council Period 20 and prohibits entities from doing business with the District government for a period of time after making a donation to a candidate. The ban would include contracting, grants, tax abatements and other interactions with the District government. Co-sponsor: (none). Referred to the Committee of the Whole.

COUNCIL HEARINGS

LEGISLATIVE HEARING UPDATES January 14, through January 20, 2015

Wednesday, 1/14/2015 2:00pm Room 120	Committee on Transportation & Environment Meeting
Wednesday, 1/14/2015 2:00pm Room 123	Committee on Health and Human Services Meeting
Thursday, 1/15/2015 11:00am Room 123	Committee on the Judiciary Markup
Thursday, 1/15/2015 11:00am Room 412	Committee on Health and Human Services Hearing The Committee on Health and Human Services, announces a public oversight roundtable on "Procedures in Place to Protect Residents of Homeless Shelters from Sex Offenders". Those who wish to testify should contact Cory Davis, Legislative Assistant to the Committee on Health and Human Services, at 202-741-0904 or via e-mail at cdavis@dccouncil.us , and provide their name, address, telephone number, organizational affiliation and title (if any) by close of business on Tuesday, January 13, 2015.