

DISTRICT OF COLUMBIA
OFFICIAL CODE

TITLE 10.
PARKS, PUBLIC BUILDINGS, GROUNDS,
AND SPACE.

CHAPTER 15.
RESERVATION 13.

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CHAPTER 15. RESERVATION 13.

§ 10-1501. APPROVAL OF DRAFT MASTER PLAN.

Pursuant to the District of Columbia Appropriations Act, 2002 (Public Law 107-96), the Mayor transmitted to the Council a Draft Master Plan for Public Reservation 13, dated March 31, 2002. Public Law 107-96 provides that the Mayor shall present to the Council for its approval a plan for the development of Reservation 13. The Draft Master Plan for Public Reservation 13, dated March 31, 2002, is hereby approved.

(Apr. 11, 2003, D.C. Law 14-300, § 2, 50 DCR 406.)

HISTORICAL AND STATUTORY NOTES

Legislative History of Laws

Law 14-300, the "Draft Master Plan for Public Reservation 13 Approval Act of 2002", was introduced in Council and assigned Bill No. 14-648, which was referred to the Committee on the Whole. The Bill was adopted on first and second readings on November 7, 2002, and December 3, 2002, respectively. Signed by the Mayor on January 7, 2003, it was assigned Act No. 14-576 and transmitted to both Houses of Congress for its review. D.C. Law 14-300 became effective on April 11, 2003.

§ 10-1502. HEALTH CARE FACILITY; ACREAGE SET ASIDE, DEVELOPMENT.

(a) Approximately 2 acres within Reservation 13 shall be set aside for the development of a new health care facility, which may include emergency care services, primary and specialty care physician offices, ambulatory surgery, diagnostic imaging, laboratories, or health education. Upon completion of the development of the health care facility, any excess land set aside for the facility shall be available for development.

(b)(1) The Mayor is authorized to issue a request for proposals for the development of a health care facility on the acreage set aside and to enter into any contract or agreement necessary to enable the construction and operation of the facility.

(2) Interested bidders shall be allowed to submit proposals for both constructing and operating the health care facility.

(Apr. 11, 2003, D.C. Law 14-300, § 3, 50 DCR 406; Mar. 14, 2007, D.C. Law 16-288, § 201, 54 DCR 976.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 16-288, rewrote this section, which formerly read:

"Approximately 2 acres within the Independence Avenue District of Reservation 13 shall be set aside for the development of a new full-service hospital, including approximately 200 beds, an emergency department with level 1 trauma care, general pediatric care, behavioral health services including substance abuse and mental health, long-term or transitional care capability, outpatient diagnostic and ambulatory care, and specialty clinic services."

Temporary Addition of Section

For temporary (225 day) addition, see §§ 2, 3 of National Capital Medical Center Negotiation Temporary Act of 2003 (D.C. Law 15-96, March 10, 2004, law notification 51 DCR 3616).

Emergency Act Amendments

For temporary (90 day) addition, see §§ 2 and 3 of National Capital Medical Center Negotiation Emergency Act of 2003 (D.C. Act 15-229, November 25, 2003, 50 DCR 10720).

Legislative History of Laws

For Law 14-300, see notes following § 10-1501.

Law 15-178, the "National Capital Medical Center Memorandum of Understanding Approval Act of 2004", was introduced in Council and assigned Bill No. 15-680, which was referred to the Committee of the Whole. The Bill was adopted on first and second readings on April 6, 2004, and May 4, 2004, respectively. Signed by the Mayor on May 21, 2004, it was assigned Act No. 15-428 and transmitted to both Houses of Congress for its review. D.C. Law 15-178 became effective on September 8, 2004.

Law 16-288, the "Community Access to Health Care Amendment Act of 2006", was introduced in Council and assigned Bill No. 16-913, which was referred to Committee on Human Services. The Bill was adopted on first and second readings on November 14, 2006, and December 5, 2006, respectively. Signed by the Mayor on December 28, 2006, it was assigned Act No. 16-647 and transmitted to both Houses of Congress for its review. D.C. Law 16-288 became effective on March 14, 2007.

Miscellaneous Notes

Sections 2 and 3 of D.C. Law 15-178 provides:

"Sec. 2. (a) Pursuant to the National Capital Medical Center Negotiation Emergency Act of 2003, effective November 25, 2003 (D.C. Act 15-229; 50 DCR 10720), the Mayor transmitted to the Council a proposed memorandum of understanding between the District of Columbia government and Howard University, dated January 15, 2004, for Council approval.

"(b) The Council hereby approves the memorandum of understanding between the District of Columbia government and Howard University, dated January 15, 2004.

"Sec. 3. The Mayor shall submit by proposed resolution to the Council for a 45- day period of review, excluding Saturdays, Sundays, legal holidays, and days of Council recess, which review period shall begin on the 1st day following its receipt by the Office of the Secretary, the final plan ('plan') to finance, construct, manage, and operate the National Capital Medical Center. If the Council does not approve or disapprove the proposed resolution within the 45- day review period, the proposed resolution, and thereby the plan, shall be deemed disapproved."

§ 10-1503. ESTABLISHMENT OF RESERVATION 13 BENEFIT AREA.

(a) There is established a Reservation 13 Benefit Area ("R13BA"), which shall be comprised of the 67 acres of land historically known as Reservation 13.

(b) Repealed.

(c) Repealed.

(Apr. 11, 2003, D.C. Law 14-300, § 4, 50 DCR 406; Feb. 6, 2004, D.C. Law 15-69, § 2(a), 50 DCR 9824; Apr. 13, 2005, D.C. Law 15-354, § 89(a), 52 DCR 2638.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-69 deleted the subsection (a) designation; and repealed subsecs. (b) and (c) which had read as follows:

"(b) The proceeds from the lease or sale of any real property in the R13BA, which includes all structures of a permanent character erected on or affixed to, any natural resources located on or under, all riparian rights attached to, or any air space located above or below the property or any street or alley, owned, controlled, or administered by the District, shall be deposited in the Tobacco Settlement Trust Fund, established by § 7-1811.01 ("Tobacco Settlement Trust Fund") into a dedicated R13BA Hospital account to be used solely for the purpose of constructing and maintaining a new full-service public hospital on the acreage within the R13BA set aside for that purpose, pursuant to § 10-1502.

"(c) If, instead of a public hospital, a private full-service hospital is constructed within the R13BA, the proceeds from the lease or sale of any real property in the R13BA shall be deposited in the Tobacco Settlement Trust Fund into a dedicated R13BA Health Care account to be used solely for the purpose of providing health care to the uninsured residents of the District."

D.C. Law 15-354, in subsecs. (b) and (c), validated previously made technical corrections.

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(a) of Draft Master Plan for Public Reservation 13 Temporary Amendment Act of 2003 (D.C. Law 15-3, May 3, 2003, law notification 50 DCR 3783).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(a) of Draft Master Plan for Public Reservation 13 Emergency Amendment Act of 2003 (D.C. Act 15-13, January 27, 2003, 50 DCR 1488).

For temporary (90 day) amendment of section, see § 2(a) of Draft Master Plan for Public Reservation 13 Congressional Review Emergency Amendment Act of 2003 (D.C. Act 15-273, December 18, 2003, 51 DCR 40).

Legislative History of Laws

For Law 14-300, see notes following § 10-1501.

Law 15-69, the "Draft Master Plan For Public Reservation 13 Amendment Act of 2003", was introduced in Council and assigned Bill No. 15-24, which was referred to Committee of the Whole. The Bill was adopted on first and second readings on July 8, 2003, and October 7, 2003, respectively. Signed by the Mayor on October 24, 2003, it was assigned Act No. 15-198 and transmitted to both Houses of Congress for its review. D.C. Law 15-69 became effective on February 6, 2004.

For Law 15-354, see notes following § 10-801.

§ 10-1504. ESTABLISHMENT OF SPECIAL TAXING DISTRICT.

(a) The R13BA shall be a special taxing district.

(b) All sales tax revenues generated from commercial enterprises within the R13BA, all taxes on any real property, except for the real property special tax set aside to pay debt service on general obligation bonds issued by the District of Columbia, and all payments made in lieu of taxes on any real property, which is exempt or immune from real property taxation that is leased, loaned, or otherwise made available to any person in connection with a commercial enterprise or as a residence in an amount equivalent to the tax that would be lawfully assessed if the real property were not exempt or immune from real property taxation, that are collected within the R13BA shall be applied in the following order:

(1) To fund infrastructure improvements related to a proposed development; or

(2) To be deposited in the Tobacco Settlement Trust Fund, established by subchapter II of Chapter 18 of Title 7 ('Fund') into a dedicated R13BA Health Care account to be used for the purpose of providing health care to the uninsured residents of the District.

(c) Repealed.

(Apr. 11, 2003, D.C. Law 14-300, § 5, 50 DCR 406; Feb. 6, 2004, D.C. Law 15-69, § 2(b), 50 DCR 9824.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-69 rewrote subsec. (b); and repealed subsec. (c). Subsecs. (b) and (c) had read as follows:

"(b) All taxes on any real property, except for the real property special tax set aside to pay debt service on general obligation bonds issued by the District of Columbia, and all payments made in lieu of taxes on any real property, which is exempt or immune from real property taxation that is leased, loaned, or otherwise made available to any person in connection with a commercial enterprise or as a residence in an amount equivalent to the tax that would be lawfully assessed if the real property were not exempt or immune from real property taxation, that are collected within the R13BA shall be deposited in the Tobacco Settlement Trust Fund into a dedicated R13BA Health Care account to be used solely for the purpose of providing health care to the uninsured residents of the District.

"(c) One hundred percent of the sales tax revenue generated from all commercial enterprises within the R13BA shall be deposited in the Tobacco Settlement Trust Fund into the dedicated R13BA Health Care account to be used solely for the purpose of providing health care to the uninsured residents of the District."

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(b) of Draft Master Plan for Public Reservation 13 Temporary Amendment Act of 2003 (D.C. Law 15-3, May 3, 2003, law notification 50 DCR 3783).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(b) of Draft Master Plan for Public Reservation 13 Emergency Amendment Act of 2003 (D.C. Act 15-13, January 27, 2003, 50 DCR 1488).

For temporary (90 day) amendment of section, see § 2(b) of Draft Master Plan for Public Reservation 13 Congressional Review Emergency Amendment Act of 2003 (D.C. Act 15-273, December 18, 2003, 51 DCR 40).

Legislative History of Laws

For Law 14-300, see notes following § 10-1501.

For Law 15-69, see notes following § 10-1503.

§ 10-1505. ALLOCATION OF R13BA PROPERTY SALES AND LEASE PROCEEDS.

The proceeds from the lease or sale of any property in the R13BA, which includes all structures of a permanent character erected on or affixed to, any natural resources located on or under, all riparian rights attached to, or any air space located above or below the property or any street or alley, owned, controlled, or administered by the District, shall be applied in the following order:

- (1) To fund infrastructure improvements related to a proposed development; or
- (2) To be deposited in the Fund into a dedicated R13BA Health Care account to be used for the purpose of providing health care to the uninsured residents of the District.

(Apr. 11, 2003, D.C. Law 14-300, § 6, 50 DCR 406; Feb. 6, 2004, D.C. Law 15-69, § 2(c), 50 DCR 9824.)

HISTORICAL AND STATUTORY NOTES

Effect of Amendments

D.C. Law 15-69 rewrote the section which had read as follows:

"§ 10-1505. Allocation and administration of R13BA funds.

"(a) All funds collected pursuant to §§ 10-1503 and 10-1504 shall be deposited in the Tobacco Settlement Trust Fund dedicated accounts without regard to fiscal year limitation and shall not revert to the General Fund at the end of any fiscal year, or at any other time.

"(b) Except as provided in subsections (c) and (d) of this section, all funds deposited into the R13BA Hospital account or the R13BA Health Care account (collectively, 'R13BA funds') shall be continually available solely for the purpose of constructing and maintaining a full-service public hospital within R13BA or, if a public hospital is not constructed within the R13BA, for the purpose of providing health care to the uninsured residents of the District, subject to authorization by Congress.

"(c) A percentage, as determined by the Mayor, of the R13BA funds shall be allocated for the cost of administration, including the cost of preparing an annual audit report.

"(d) Expenditures from the R13BA funds shall be audited annually by the Mayor. The audit report shall be submitted to the Council for review within 90 days after the end of the fiscal year.

"(e) The Mayor may promulgate rules to implement the provisions of this chapter."

Temporary Amendments of Section

For temporary (225 day) amendment of section, see § 2(c) of Draft Master Plan for Public Reservation 13 Temporary Amendment Act of 2003 (D.C. Law 15-3, May 3, 2003, law notification 50 DCR 3783).

Emergency Act Amendments

For temporary (90 day) amendment of section, see § 2(c) of Draft Master Plan for Public Reservation 13 Emergency Amendment Act of 2003 (D.C. Act 15-13, January 27, 2003, 50 DCR 1488).

For temporary (90 day) amendment of section, see § 2(c) of Draft Master Plan for Public Reservation 13 Congressional Review Emergency Amendment Act of 2003 (D.C. Act 15-273, December 18, 2003, 51 DCR 40).

Legislative History of Laws

For Law 14-300, see notes following § 10-1501.

For Law 15-3, see notes following § 10-1503.

For Law 15-69, see notes following § 10-1503.