

AN ACT

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To adjust, on a temporary basis, certain allocations requested in the Fiscal Year 2012 Budget Request Act pursuant to the Omnibus Appropriations Act, 2009.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Fiscal Year 2012 Second Revised Budget Request Temporary Adjustment Act of 2012".

Sec. 2. Pursuant to section 817 of the Omnibus Appropriations Act, 2009, approved March 13, 2009 (123 Stat. 699; D.C. Official Code § 47-369.02), the fiscal year 2012 budgets for the following agencies shall be adjusted by the following amounts:

TITLE II—DISTRICT OF COLUMBIA FUNDS—SUMMARY OF EXPENSES

\$70,850, 000 (of which \$66,500,000 shall be added to local funds and \$4,350,000 added to other funds), to be allocated as follows:

Government Direction and Support

The appropriation for Government Direction and Support is increased by \$4,403,000 in local funds, to be allocated as follows:

- (1) Council of the District of Columbia. - \$403,000 is added to be available from local funds.
- (2) Department of General Services. -\$4,000,000 is added to be available from local funds.

Economic Development and Regulation

The appropriation for Economic Development and Regulation is increased by \$5,854,000 (including \$3,354,000 in local funds and \$2,500,000 in other funds), to be allocated as follows:

- (1) Department of Employment Services. - \$1,504,000 is added to be available from local funds.
- (2) Deputy Mayor for Planning and Economic Development. - \$2,500,000 is added to be available from other funds.

(3) Housing Production Trust Fund Subsidy. - \$1,850,000 is added to be available from local funds.

Public Education System

The appropriation for Public Education System is increased by \$27,058,000 in local funds, to be allocated as follows:

(1) District of Columbia Public Schools. – \$25,191,000 is added to be available from local funds.

(2) Office of the State Superintendent of Education. - \$1,453,000 is added to be available from local funds.

(3) District of Columbia Public Library. - \$414,000 is added to be available from local funds.

Human Support Services

The appropriation for Human Support Services is increased by \$10,377,000 in local funds, to be allocated as follows:

(1) Department of Healthcare Finance. - \$10,227,000 is added to be available from local funds.

(2) Department of Human Services. - \$150,000 is added to be available from local funds to fund the fiscal year 2012 cost associated with the Temporary Assistance for Needy Families Time Limit Amendment Act of 2012, passed on 2nd reading on June 5, 2012 (Enrolled version of Bill 19-743).

Financing and Other

The appropriation for Financing and Other is increased by \$21,308,000 in local funds, to be allocated as follows:

(1) Repayment of Loans and Interest. –\$1,135,000 is reduced from local funds.

(2) Non-Departmental. - \$22,443,000 is added to be available from local funds.

Enterprise and Other Funds

The appropriation for Enterprise and Other Funds is increased by \$1,850,000 in other funds, to be allocated as follows:

(1) Housing Production Trust Fund. - \$1,850,000 is added to be available from other funds.

Sec. 3. Municipal bond tax delay.

(a) The Chief Financial Officer shall recognize as fiscal year 2013 revenue \$1,100,000 from the General Fund of the District of Columbia balance at the end of fiscal year 2012, which shall be allocated to fund the fiscal effect of the extension of time, relating to the computation of gross income tax, set forth in subsection (b) of this section.

(b) Section 47-1803.02(a)(1)(B) of the District of Columbia Official Code is amended by striking the phrase “October 1, 2011” and inserting the phrase “January 1, 2013” in its place.

Sec. 4. Construction with other law.

Notwithstanding the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools and Tax Conformity Clarification Amendment Act of 1998, effective March 26, 1999 (D.C. Law 12-207; D.C. Official Code § 38-2901 *et seq.*), and the District of Columbia School Reform Act of 1995, approved April 26, 1996 (110 Stat. 1321; D.C. Official Code § 38-1800.01 *et seq.*), the allocations described in section 2 shall not be construed to create an obligation to provide additional funding to any local education agency except the District of Columbia Public Schools.

Sec. 5. Furlough rebate implementation.

(a) Notwithstanding the Bonus and Special Pay Limitation Act of 2011, effective September 14, 2011 (D.C. Law 19-21; 58 DCR 6226), a current employee who did not receive compensation for at least one unpaid furlough day in fiscal year 2011 pursuant to the Balanced Budget Holiday Furlough Emergency Act of 2011, effective February 2, 2011 (D.C. Act 19-3; 58 DCR 1241), the Balanced Budget Holiday Furlough Congressional Review Emergency Act of 2011, effective April 27, 2011 (D.C. Act 19-50; 58 DCR 3874), or the Balanced Budget Holiday Furlough Temporary Act of 2011, effective May 21, 2011 (D.C. Law 19-1; 58 DCR 2610), shall receive a furlough rebate in accordance with subsection (b) of this section unless the employee affirmatively chooses to waive all or any part of the furlough rebate in accordance with subsection (c) of this section.

(b)(1) A current employee who receives a furlough rebate shall be given a one-time lump-sum payment in an amount of the current employee's loss of salary or rate attributable to unpaid furlough days.

(2) A furlough rebate shall not include losses attributable to benefits, reimbursements, deductions, or any other additional pay of any kind beyond the rate of basic pay.

(3) A furlough rebate shall not be used or counted toward a current employee's retirement benefits or otherwise affect the current employee's eligibility for a benefit offered by the District government.

(c)(1) An employee eligible to receive a furlough rebate may decline to accept all or any part of the furlough rebate if the employee signs a waiver and files the waiver with the Director of Personnel within 30 days after the effective date of the Fiscal Year 2012 Second Revised Budget Request Emergency Adjustment Act of 2012, effective June 20, 2012 (D.C. Act 19-382; 59 DCR 7760).

(2) Once an employee files a waiver pursuant to this subsection, the waiver may not be revoked.

(d) For the purposes of this section, the term "current employee" means an employee of the District who is employed by the District on July 10, 2012.

Sec. 6. Fiscal impact statement.

The Council adopts the fiscal impact statement of the Chief Financial Officer as the fiscal impact statement required by section 602(c)(3) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(3)).

Sec. 7. Effective date.

(a) 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 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