

A BILL

20-440

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to specify that a salary of a re-employed District of Columbia employee annuitant shall not be reduced below the federal minimum wage and to make a confirming amendment; to amend An Act to increase compensation for District of Columbia policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide for additional revenue for the District of Columbia; and for other purposes to update the name of the Police and Firemen’s Retirement and Relief Board to the Police and Firefighters Retirement and Relief Board, to specify that the public members of the Board have alternates, and to make technical amendments; to amend the Policemen and Firemen’s Retirement and Disability Act to specify that the salary of a re-employed District police officer or firefighter annuitant shall not be reduced below the federal minimum wage and to make conforming amendments; to amend An Act For the retirement of public-school teachers in the District of Columbia to provide that the salary of a re-employed District teacher annuitant shall not be reduced below the federal minimum wage; and to amend the District of Columbia Retirement Reform Act and Omnibus Police Reform Amendment Act of 2000 to make conforming amendments.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Retirement Technical Amendments Act of 2014”.

Sec. 2. 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 1103(b) (D.C. Official Code § 1-611.03(b)) is amended by striking the phrase “reemployed annuitant.” and inserting the phrase “reemployed annuitant. No salary subject to this reduction shall be reduced to less than any applicable minimum wage set forth in the Fair

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36 Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), or
37 any other applicable federal minimum wage statute or regulation.” in its place.

38 (b) Section 1108(c)(2)(C) (D.C. Official Code § 1-611.08(c)(2)(C) is amended by
39 striking the phrase “Police and Firemen’s Retirement and Relief Board” and inserting the phrase
40 “Police and Firefighters Retirement and Relief Board” in its place.

41 Sec. 3. Section 122 of An Act to increase compensation for District of Columbia
42 policemen, firemen, and teachers; to increase annuities payable to retired teachers in the District
43 of Columbia; to establish an equitable tax on real property in the District of Columbia; to provide
44 for additional revenue for the District of Columbia; and for other purposes, approved September
45 3, 1974 (88 Stat. 1041; D.C. Official Code § 5-722), is amended as follows:

46 (a) Strike the phrase “Firemen’s Retirement” wherever it appears and insert the phrase
47 “Firefighters Retirement” in its place.

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

49 (1) Paragraphs (1)(A) and (B) are amended to read as follows:

50 “(A) Members and alternates appointed from among persons who are
51 employees of the District of Columbia, 1 member and 1 or more alternates from each of the
52 following:

53 “(i) The District of Columbia Department of Human Resources;

54 “(ii) The Office of the Attorney General;

55 “(iii) The Department of Health;

56 “(iv) The Metropolitan Police Department; and

57 “(v) The Fire and Emergency Medical Services Department; and

58 “(B)(i) One member, and 1 or more alternates, each of whom shall be a
59 physician, and shall be appointed from among persons who are not officers or employees of the
60 District of Columbia; and

61 “(ii) One member, and 1 or more alternates, who shall be
62 appointed from among persons who are not officers or employees of the District of Columbia.”.

63 (c) Paragraph (2) is amended to read as follows:

64 “(2) The member, and 1 or more alternates, appointed from among employees of
65 the Department of Health shall be physicians.”.

66 (d) Subsection (c) is amended by adding a new sentence at the beginning to read as
67 follows:

68 “All appointments shall be made by the Mayor.”.

69 (e) Subsection (d) is amended by striking the phrase “who contributes to the Policemen
70 and Firemen’s Relief Fund of the District of Columbia” and inserting the phrase “who is covered
71 by the Policemen and Firemen’s Retirement and Disability Act, approved September
72 1, 1916 (39 Stat. 718; D.C. Official Code § 5-701 *et seq.*)” in its place.

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74 Sec. 4. The Policemen and Firemen’s Retirement and Disability Act, approved
75 September 1, 1916 (39 Stat. 718; D.C. Official Code § 5-701 *et seq.*), is amended as follows:

76 (a) Section 12(g) (D.C. Official Code § 5-710(g)) is amended by striking the phrase
77 “Police and Firemen’s Retirement and Relief Board” wherever it appears and inserting the
78 phrase “Police and Firefighters Retirement and Relief Board” in its place.

79 (b) Section 12(i) (D.C. Official Code § 5-713) is amended by striking the phrase “Police
80 and Firemen’s Retirement and Relief Board” and inserting the phrase “Police and Firefighters
81 Retirement and Relief Board” in its place.

82 (c) Section 12(n)(5) (D.C. Official Code § 5-723(e)), is amended by striking the phrase
83 “held by such annuitant.” and inserting the phrase “held by such annuitant. No salary subject to
84 this reduction shall be reduced to less than any applicable minimum wage set forth in the Fair
85 Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060; 29 U.S.C. § 201 *et seq.*), or
86 any other applicable federal minimum wage statute or regulation.” in its place.

87 Sec. 5. Section 25 of An Act For the retirement of public-school teachers in the District
88 of Columbia, approved August 7, 1946 (60 Stat. 875; D.C. Official Code § 38-2061.01) is
89 amended by adding the following sentence at the end:

90 “No salary subject to this reduction shall be reduced to less than any applicable minimum
91 wage set forth in the Fair Labor Standards Act of 1938, approved June 25, 1938 (52 Stat. 1060;
92 29 U.S.C. § 201 *et seq.*), or any other applicable federal minimum wage statute or regulation.”.

93 Sec. 6. Conforming amendments.

94 (a) Section 162(a)(2) of the District of Columbia Retirement Reform Act, approved
95 November 17, 1979 (93 Stat. 877; D.C. Code § 1-732(a)(2)), is amended by striking the phrase
96 “Police and Firemen’s Retirement and Relief Board” and inserting the phrase “Police and
97 Firefighters Retirement and Relief Board” in its place.

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98 (b) Section 205(r) of the Omnibus Police Reform Amendment Act of 2000, effective
99 October 4, 2000 (D.C. Law 13-160; D.C. Official Code § 5-107.04(r)), is amended by striking
100 the word “Firefighter’s” and inserting the word “Firefighters” in its place.

101 Sec. 7. Fiscal impact statement.

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

105 Sec. 8. Effective date.

106 This act shall take effect following approval by the Mayor (or in the event of veto by the
107 Mayor, action by the Council to override the veto), a 30-day period of Congressional review as
108 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
109 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
110 Columbia Register.