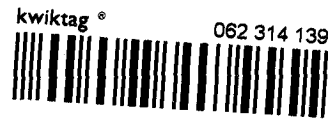


ENROLLMENT(S)



(5)

COUNCIL OF THE DISTRICT OF COLUMBIA

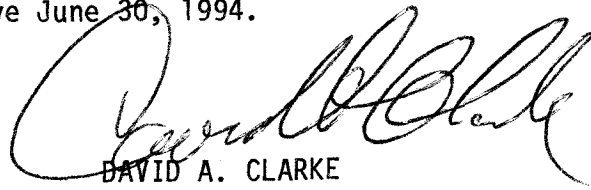
NOTICE

D.C. LAW 10-135

"Full Funding of Pension Liability Retirement Reform
Amendment Act of 1994".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198 "the Act", the Council of the District of Columbia adopted Bill No. 10-515 on first and second readings, March 1, 1994, and April 12, 1994, respectively. Following the signature of the Mayor on May 4 1994, this legislation was assigned Act No. 10-239, and published in the May 13, 1994, edition of the D.C. Register (Vol.41 page 2618) and transmitted to Congress on May 9, 1994 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 10-135, effective June 30, 1994.



DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

May 9,10,11,12,13,16,17,18,19,20,23,24,25,26

June 8,9,10,13,14,15,16,17,20,21,22,23,24,27,28,29

AN ACT

D.C. ACT 10-239

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

MAY 4, 1994

To eliminate the unfunded liability of the teachers', fire fighters', police officers', and judges' pension funds by amending the District of Columbia Retirement Reform Act to put the District's contribution on a sound actuarial basis and to increase and extend the federal contribution to the funds; by amending the Policemen and Firemen's Retirement and Disability Act to eliminate one of the biannual cost-of-living adjustments to police officers' and fire fighters' pensions and to increase the employee contribution; by amending the District of Columbia Police and Firemen's Salary Act of 1953 to repeal the automatic pension equalization provision; and by amending An Act For the retirement of public school teachers in the District of Columbia to eliminate one of the biannual cost-of-living adjustments to teachers' pensions and to increase the employee contribution.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Full Funding of Pension Liability Retirement Reform Amendment Act of 1994".

TITLE I. DISTRICT CONTRIBUTION

Sec. 101. Section 142 of the District of Columbia Retirement Reform Act, approved November 17, 1979 (93 Stat. 877; D.C. Code § 1-722 *et seq.*), is amended as follows:

- | | |
|--|--------------------------|
| <p>(a) Subsection (a) (D.C. Code § 1-722(a)) is amended as follows:</p> <p>(1) Paragraph (1) (D) (iii) is repealed.</p> <p>(2) Paragraph (3) is amended as follows:</p> <p>(A) Subparagraph (E) is repealed.</p> <p>(B) Subparagraph (G) and the immediately following undesignated paragraph are repealed.</p> | <p>Section
1-722</p> |
| <p>(b) Subsection (b) (D.C. Code § 1-722(b)) is amended as follows:</p> <p>(1) Paragraph (1) is amended as follows:</p> <p>(A) Subparagraph (A) is amended to read as follows:
"(A) Except as provided in subsection (b)(3) of this section, the District payment for each Fund for each fiscal year shall equal the sum of the net normal cost and the amortization payment defined in the following subsection (b)(2) of this section."</p> <p>(B) Subparagraph (B) is amended to read as follows:</p> | <p>Section
1-722</p> |

"(B) The total payment for all Funds for each fiscal year shall not be less than \$295,500,000."

(C) Subparagraphs (C) - (F) are repealed.

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

"(2) The annual amortization payment for each year shall be the sum of the payments required to amortize, as a level percentage of payroll, the following:

"(A) The unfunded actuarial liability as of October 1, 1995 over a 40-year period;

"(B) Any increases or decreases in unfunded actuarial liability due to experience gains or losses, or changes in actuarial assumptions, over a period of 15 years from the valuation date when first calculated; and

"(C) Any increases or decreases in unfunded actuarial liability due to changes in benefits provisions over a period of 25 years from the valuation date when first calculated."

(3) A new paragraph (3) is added as follows:

"(3) Determinations under subsection (b)(1) and (b)(2) of this section shall be made in accordance with generally accepted actuarial principles and practices."

(c) Subsection (c)(1)(A) (D.C. Code § 1-722(c)) is amended by striking the number "2003" and inserting the number "2035" in its place.

Section
1-722

(d) Subsection (d) (D.C. Code § 1-722 (d)) is amended to read as follows:

Section
1-722

"(d) Whenever any change in benefits under a retirement program is made, the enrolled actuary engaged pursuant to section 162(a)(4)(A) shall estimate the effect of the change in benefits over the next five fiscal years on (1) the net normal cost percentage with respect to the retirement program, (2) the accrued actuarial liability with respect to the program, and (3) the level of the District payments to the Funds. The estimates of the actuary shall be submitted by the enrolled actuary with the certifications required under subsections (a)(3)(A) and (c)(1)(B) of this section."

(e) Subsection (e) (D.C. Code § 1-722 (e)) is amended by striking the phrase "(b)(1)(A)" and inserting the phrase "(b)(2)" in its place.

Section
1-722

TITLE II--FEDERAL CONTRIBUTION TO DISTRICT OF COLUMBIA PENSION FUNDS

Sec. 201. INCREASE IN AND EXTENSION OF FEDERAL CONTRIBUTION.

(a) IN GENERAL. Section 144(a) of the District of Columbia Retirement Reform Act (sec. 1-724(a), D.C. Code) is amended--

Section
1-724

(1) in the matter preceding paragraph (1), by striking "2004" and inserting "2035 the following amounts:";

(2) in paragraph (1)--

(A) by striking "as" and inserting "As", and

(B) by striking "Fund, the sum" and all that follows and inserting the following: "Fund--

"(A) for each fiscal year through fiscal year 1995, the sum of \$34,170,000, reduced by the amount of any reduction required under section 145(c),

Enrolled Original

"(B) for fiscal year 1996, the sum of \$35,879,000, reduced by the amount of any such reduction, and

"(C) for fiscal year 1997 and each subsequent fiscal year, the amount calculated in accordance with this paragraph for the previous fiscal year increased by 5 percent, reduced by the amount of any such reduction;"

(3) in paragraph (2)--

(A) by striking "as" and inserting "As", and

(B) by striking "Fund, the sum" and all that follows and inserting the following: "Fund--

"(A) for each fiscal year through fiscal year 1995, the sum of \$17,680,000,

"(B) for fiscal year 1996, the sum of \$18,564,000, and

"(C) for fiscal year 1997 and each subsequent fiscal year, the amount calculated in accordance with this paragraph for the previous fiscal year increased by 5 percent; and"; and

(4) in paragraph (3)--

(A) by striking "as" and inserting "As", and

(B) by striking "Fund, the sum" and all that follows and inserting the following: "Fund--

"(A) for each fiscal year through fiscal year 1995, the sum of \$220,000,

"(B) for fiscal year 1996, the sum of \$231,000, and

"(C) for fiscal year 1997 and each subsequent fiscal year, the amount calculated in accordance with this paragraph for the previous fiscal year increased by 5 percent."

(b) CONFORMING AMENDMENTS. The District of Columbia Retirement Reform Act is amended--

(1) in section 144(e) (sec. 1-724, D.C. Code)

Section
1-724

(A) by striking "2004" in paragraph (1) and inserting "2035", and

(B) by striking paragraph (2);

(2) in section 145 (sec. 1-725, D.C. Code), by striking "2004" each place it appears in subsections (a)(1) and (c)(1) and inserting "2035"; and

Section
1-725

(3) in section 162(d) (sec. 1-732(d)(1), D.C. Code), by striking paragraph (5).

Section
1-732

TITLE III--CHANGES IN RETIREMENT BENEFITS

Subtitle A--Police Officers' and Fire Fighters' Contribution

Sec. 301. INCREASE IN CONTRIBUTION.

Section
4-612

The first sentence of subsection (d)(1) of the Policemen and Firemen's Retirement and Disability Act (sec. 4-612(a), D.C. Code) is amended by inserting after "per centum" the following: "(or, with respect to a member who is an officer or member of the Metropolitan Police force or the Fire Department of the District of Columbia, 8 per centum for each pay period which begins on or after October 1, 1995)".

Sec. 302. ESTABLISHMENT OF SINGLE ANNUAL COST-OF-LIVING ADJUSTMENT.

Subsection (m) of the Policemen and Firemen's Retirement and Disability Act (sec. 4-624, D.C. Code) is amended--

Section
4-624

(1) in paragraph (2), by striking "the Mayor shall" and all that follows and inserting the following: "on January 1 of each year (or within a reasonable time thereafter), the Mayor shall determine the per centum change in the price index for the preceding year by determining the difference between the index published for December of the preceding year and the index published for December of the second preceding year."; and

(2) by amending paragraph (3) to read as follows:

"(3)(A) If (in accordance with paragraph (2)) the Mayor determines in a year (beginning with 1997) that the per centum change in the price index for the preceding year indicates a rise in the price index, each annuity having a commencing date on or before March 1 of the year shall, effective March 1 of the year, be increased by an amount equal to--

"(i) in the case of an annuity having a commencing date on or before March 1 of such preceding year, the per centum change computed under paragraph (2), adjusted to the nearest 1/10 of 1 per centum; or

"(ii) in the case of an annuity having a commencing date after March 1 of such preceding year, a pro rata increase equal to the product of--

"(I) 1/12 of the per centum change computed under paragraph (2), multiplied by

"(II) the number of months (not to exceed 12 months, counting any portion of a month as an entire month) for which the annuity was payable before the effective date of the increase, adjusted to the nearest 1/10 of 1 per centum.

"(B) On January 1, 1996 (or within a reasonable time thereafter), the Mayor shall determine the per centum change in the price index published for December 1995 over the price index published for June 1995. If such per centum change indicates a rise in the price index, effective March 1, 1996--

"(i) each annuity having a commencing date on or before September 1, 1995, shall be increased by an amount equal to such per centum change, adjusted to the nearest 1/10 of 1 per centum; and

"(ii) each annuity having a commencing date after September 1, 1995, and on or before March 1, 1996, shall be increased by a pro rata increase equal to the product of--

"(I) 1/6 of such per centum change, multiplied by

"(II) the number of months (not to exceed 6 months, counting any portion of a month as an entire month) for which the annuity was payable before the effective date of the increase, adjusted to the nearest 1/10 of 1 per centum."

Sec. 303. EQUALIZATION OF CONTRIBUTION RULES FOR FORMER RETIREES.

(a) In GENERAL. Section 209(a)(2)(B) of the District of Columbia Retirement Reform Act (sec. 4-625(2), D.C. Code) is amended by inserting the sentence "Except that, with respect to a member who is an officer or member of the Metropolitan Police force or the Fire Department of the District of Columbia, subsection (m)(2) and (3) of the Policemen

Section
4-625

and Firemen's Retirement and Disability Act shall apply to all annuities payable under the Policemen and Firemen's Retirement and Disability Act." after the phrase "having a commencing date after the effective date of such amendment."

(b) REPEAL OF RELIEF ALLOWANCE OR COMPENSATION INCREASE. Section 301(e) of the District of Columbia Police and Firemen's Salary Act of 1953 (sec. 4-605, D.C. Code) is amended by striking the phrase "who retire after the effective date of this subsection."

Section
4-605

SUBTITLE B--TEACHERS' CONTRIBUTION.

Sec. 311. INCREASE IN CONTRIBUTION.

Section
31-1221

The first sentence of section 1 of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (sec. 31-1221(a), D.C. Code), is amended by inserting after "per centum" the following: "(or, with respect to each pay period which begins on or after October 1, 1995, 8 per centum)".

Sec. 312. ESTABLISHMENT OF SINGLE ANNUAL COST-OF-LIVING ADJUSTMENT.

Section 21(b) of the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia", approved August 7, 1946 (sec. 31-1241(b), D.C. Code) is amended--

Section
31-1241

(1) in paragraph (1), by striking "The Mayor shall" and all that follows and inserting the following: "On January 1 of each year (or within a reasonable time thereafter), the Mayor shall determine the per centum change in the price index for the preceding year by determining the difference between the index published for December of the preceding year and the index published for December of the second preceding year."; and

(2) by amending paragraph (2) to read as follows:

"(2)(A) If (in accordance with paragraph (1)) the Mayor determines in a year (beginning with 1997) that the per centum change in the price index for the preceding year indicates a rise in the price index, each annuity having a commencing date on or before March 1 of the year shall, effective March 1 of the year, be increased by an amount equal to--

"(i) in the case of an annuity having a commencing date on or before March 1 of such preceding year, the per centum change computed under paragraph (1), adjusted to the nearest 1/10 of 1 per centum; or

"(ii) in the case of an annuity having a commencing date after March 1 of such preceding year, a pro rata increase equal to the product of

"(I) 1/12 of the per centum change computed under paragraph (1), multiplied by

"(II) the number of months (not to exceed 12 months, counting any portion of a month as an entire month) for which the annuity was payable before the effective date of the increase, adjusted to the nearest 1/10 of 1 per centum.

"(B) On January 1, 1996 (or within a reasonable time thereafter), the Mayor shall determine the per centum change in the price index published for December 1995 over the price index published for June 1995. If such per centum change indicates a rise in the price index, effective March 1, 1996--

"(i) each annuity having a commencing date on before September 1, 1995, shall be increased by an amount equal to such per centum change, adjusted to the nearest 1/10 of 1 per centum; and

"(ii) each annuity having a commencing date after September 1, 1995, and on or before March 1, 1996, shall be increased by a pro rata increase equal to the product of

"(I) 1/6 of such per centum change, multiplied by

"(II) the number of months (not to exceed 6 months, counting any portion of a month as an entire month) for which the annuity was payable before the effective date of the increase, adjusted to the nearest 1/10 of 1 per centum."

TITLE IV. APPLICABILITY DATE

Sec. 401. Notwithstanding any other law, title 1 §§ 101 (b)(1) and (2), and titles II and III, shall apply to any action or transaction taken or undertaken with respect to the Police Officers and Fire Fighters' Retirement Fund, the Teachers' Retirement Fund and the Judges' Retirement Fund on and after October 1, 1995.

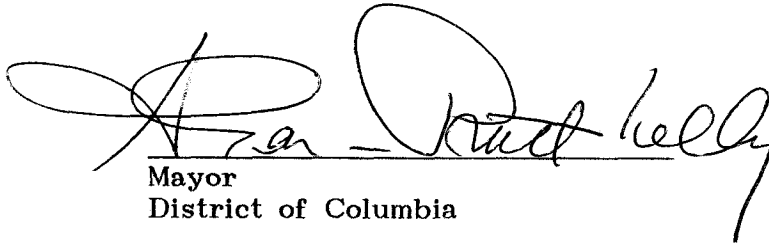
TITLE V. EFFECTIVE DATE

Sec. 501. This act shall take effect on the later of: (1) completion of a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code § 1-233 (c)(1)), and publication in either the District of Columbia Register, the District of Columbia Statutes-at-Large, or the District of Columbia Municipal Regulations; or (2) enactment by Congress of titles II and III, of this act and of an amendment to D.C. Code § 11-1563 which amends the first sentence in subsection (a) by inserting after "per centum" the following: "(or, with respect to each pay period which begins on or after October 1, 1995, 4 1/2 per centum)" and an amendment to D.C. Code § 11-1564 (d)(1) which inserts after "United States Code," the following: "with respect to services performed before October 1, 1995,

and equal to 4 1/2 per centum of such salary, pay, or compensation with respect to services performed on or after October 1, 1995,".



Chairman
Council of the District of Columbia



Mayor
District of Columbia

APPROVED: May 4, 1994



COUNCIL OF THE DISTRICT OF COLUMBIA

Council Period Ten

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: B10-515

X Item on Consent Calendar

X ACTION & DATE: Adopted First Reading, 3-1-94

X VOICE VOTE: Approved

Recorded vote on request

Absent: All present

ROLL CALL VOTE -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 15 rows of member names: CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

April 15, 1994 Date

X Item on Consent Calendar

X ACTION & DATE: Adopted Final Reading, 4-12-94

X VOICE VOTE: Approved

Recorded vote on request

Absent: Barry

ROLL CALL VOTE -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 15 rows of member names: CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Signature of Secretary to the Council

April 15, 1994 Date

Item on Consent Calendar

ACTION & DATE:

VOICE VOTE:

Recorded vote on request

Absent:

ROLL CALL VOTE -- RESULT

Table with 15 columns: COUNCIL MEMBER, AYE, NAY, N.V., A.B. and 15 rows of member names: CHMN. CLARKE, BARRY, BRAZIL, CHAVOUS, CROPP, EVANS, JARVIS, LIGHTFOOT, MASON, NATHANSON, RAY, SMITH, JR., THOMAS, SR.

X - Indicates Vote A.B. - Absent N.V. - Present, not voting

CERTIFICATION RECORD

Secretary to the Council

Date