

AN ACT

*Codification  
District of  
Columbia  
Official Code*

2001 Edition

2007 Winter  
Supp.

West Group  
Publisher

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to increase the compensation of the Mayor and of members of the Council, and to create a Mayor and Council Compensation Advisory Commission, to require the Commission to study the compensation and benefits for elected officials by reviewing the best practices regionally and nationally of comparable jurisdictions and to submit its findings and recommendations to the Mayor and the Council.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the “Mayor and Council Compensation Adjustment and Compensation Advisory Commission Establishment Amendment Act of 2006.”

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 1109 (D.C. Official Code § 1-611.09) is amended as follows:

Amend  
§ 1-611.09

(1) A new subsection (a-1) is added to read as follows:

“(a-1) In accordance with section 421(d) of the District of Columbia Home Rule Act, approved December 24, 1973 (87 Stat. 789; D.C. Official Code §1-204.21(d)) (“Home Rule Act”), effective January 2, 2007, the Mayor shall receive annual compensation in the amount of \$200,000, which shall be payable in equal and periodic installments. The compensation shall not be subject to step, cost of living, or other increases.”

(2) Subsection (b) is amended as follows:

(A) Paragraph (1) is amended to read as follows:

“(1) Members of the Council shall receive compensation in the amount of \$115,000 per year; except, that the Chairman shall receive compensation pursuant to section 403(d) of the Home Rule Act (D.C. Official Code § 1-204.03(d)), which shall be payable in equal and periodic installments. The compensation shall be subject to cost of living increases, but not to step or other increases. For the purposes of this section “cost of living increases”

means the Consumer Price Index for all Urban Consumers (all items Washington D.C. Standard Metropolitan Statistical Area average), published on January 1 of each year.”.

(B) Paragraph (2) is amended as follows:

(i) Subparagraph (B) is amended by striking the word "and" at the end.

(ii) Subparagraph (C) is amended by striking the phrase "deems necessary." and inserting the phrase "deems necessary; and" in its place.

(iii) A new subparagraph (D) is added to read as follows:

“(D) The recommendations of the Mayor and Council Compensation Advisory Commission established by Title XI-A.”.

(3) A new subsection (d) is added to read as follows:

“(d) In determining the proper compensation level for the Mayor, the Council shall consider the recommendations of the Mayor and the Council Compensation Advisory Commission established by Title XI-A.”.

(b) A new Title XI-A is added to read as follows:

“TITLE XI-A

“MAYOR AND COUNCIL COMPENSATION ADVISORY COMMISSION”

“Sec. 1151. Establishment of the Mayor and Council Compensation Advisory Commission.

“(a) The Mayor and Council Compensation Advisory Commission (“Commission”) is established to determine the proper compensation of elected officials in the District of Columbia. “Sec. 1152. Composition and term.

“(a) The Commission shall consist of 5 voting members and one nonvoting member as follows:

“(1) Two members appointed by the Mayor with the advice and consent of the Council;

“(2) Three members appointed by the Council by resolution; and

“(3) The Director of the Office of Personnel, or his or her designee, as an *ex officio* nonvoting member.

“(b) The Chairperson of the Commission shall be selected the voting members.

“(c) Commission members shall serve a 3-year term; except, that the terms shall be staggered such that the first member appointed by the Mayor shall serve a one-year term and the first 2 members appointed by the Council shall each serve a 2-year term, with all other and subsequent appointments serving a 3-year term. A member is eligible for reappointment.

“(d)(1) Commission members shall be private citizens generally recognized for their knowledge and experience in management and compensation and have been residents of the District for at least 5 years.

(2) The Mayor, members of the Council, and officers and employees of the District of Columbia or the federal government shall not be eligible for appointment to the

Commission.

“(e) The Commission shall establish rules and procedures as the Commission shall determine.

“(f) Any vacancy on the Commission shall be filled in the same manner as the original appointment. A person appointed to fill a vacancy shall serve the remainder of the unexpired term of the original appointee.

“(g) All members of the Commission shall serve without compensation, but may be reimbursed for reasonable actual expenses incurred in the performance of official duties, pursuant to rules issued by the Mayor in accordance with section 1108.

“Sec. 1153. Duties.

“The Commission shall:

“(1) Conduct an annual review examining the best practices in compensation and benefits for mayors and members of the Council and other elected officials in the surrounding Washington Metropolitan Area, as well as in comparable jurisdictions in the country;

“(2) Study the feasibility of allowing a Councilmember to elect between engaging in employment, whether as an employee or as a self-employed individual, or holding a position other than the position as Councilmember for which the member is compensated in an amount in excess of his or her actual expenses and authorizing additional compensation for Councilmembers who agree not to engage in outside employment; and

“(3) Develop recommendations for changes in compensation levels for the Mayor or Councilmembers, or a recommendation that no changes be made, based on the review and study conducted pursuant to paragraphs (1) and (2) of this section and:

“(A) The duties and level of responsibilities of each position;

“(B) The current compensation for the position and the length of time since the last compensation change;

“(C) Any change in the cost of living since the last compensation change;

“(D) Salary trends for positions with analogous duties and responsibilities, both within government and in the private sector;

“(E) Budget limitations;

“(F) The information required by section 1109(b)(2)(A) and (B); and

“(G) Any other factors it considers to be reasonable, appropriate, and in the public interest.

"Sec.1154. Reports.

"(a) On February 1 of each odd numbered year, the Commission shall submit to the Council, the Mayor, and each Councilmember a draft act, together with a report explaining its recommendations regarding compensation for the Mayor, the Chairman, and individual Councilmembers; provided, that the salary of the Chairman shall be pursuant to section 403(d) of the Home Rule Act (D.C. Official Code § 1-204.03(d)). The Commission shall also make

the report available to the general public.

"(b) The Commission may make recommendations as to salaries for other District of Columbia elected or appointed officials.

"Sec. 1155. Meetings and hearings.

"(a) The Commission shall meet as frequently as the proper and efficient discharge of its duties may require. A majority of the voting members shall constitute a quorum. The Commission may act by an affirmative vote of a majority of its voting members.

"(b) Other than executive sessions to consider privileged matters, the meetings of the Commission shall be open to the public. The discussion of compensation shall not be a privileged matter.

"(c) An executive meeting may be convened by a vote of a majority of the voting members of the Commission, upon good cause shown.

"(d) The Commission shall hold at least 2 public hearings to take public testimony on any proposed compensation changes, including from compensation experts from the public and private sectors.

"(e) The Commission shall maintain minutes of the meetings.

"Sec. 1156. Powers.

"(a) All offices, agencies, and instrumentalities of the District government shall fully cooperate with the Commission and provide requested information and documents.

"(b) Subject to the availability of appropriations, the Commission may hire or contract for necessary staff and technical assistance or may require any office, agency, or instrumentality of the District government to provide such assistance.

"Sec. 1157. Council action.

"Upon receiving the draft act and report from the Commission as required by section 1154, the Chairman shall introduce the proposed legislation at the next legislative session. The Council shall hold a public hearing on the legislation within 6 months of its introduction."

### Sec. 3. Applicability.

This act shall apply subject to the inclusion of its fiscal effect in an approved budget and financial plan.

### Sec. 4. Fiscal impact statement.

The Council adopts the fiscal impact statement in the committee report 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. 5. Effective date.

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

**ENROLLED ORIGINAL**

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.

---

Chairman  
Council of the District of Columbia

---

Mayor  
District of Columbia