

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1042

Introduced by Assembly Member Allen

February 18, 2011

~~An act relating to pupil instruction.~~ *An act to amend Section 20098 of the Government Code, relating to public employees' retirement.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1042, as amended, Allen. ~~Pupil instruction: digital curriculum.~~ *Public employees' retirement.*

The Public Employees' Retirement Law (PERL) vests the management and control of the Public Employees' Retirement System in the Board of Administration. PERL requires the board to appoint and fix the compensation of an executive officer, a general counsel, a chief actuary, a chief investment officer, and other investment officers and portfolio managers, as specified.

This bill would additionally require the board to appoint and fix the compensation of a chief financial officer.

~~Existing law requires the adopted course of study for pupils in grades 1 to 12, inclusive, to include instruction in specified areas of study. Existing law also requires the State Board of Education to adopt basic instructional materials for use in kindergarten and grades 1 to 8, inclusive, subject to specified criteria.~~

~~This bill would state the intent of the Legislature to enact legislation that would implement a pilot program to allow school districts to provide a digital curriculum.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 20098 of the Government Code is
2 amended to read:

3 20098. (a) The board shall appoint and, notwithstanding
4 Sections 19816, 19825, 19826, 19829, and 19832 shall fix the
5 compensation of an executive officer, a general counsel, a chief
6 actuary, a chief investment officer, a chief financial officer, and
7 other investment officers and portfolio managers whose positions
8 are designated managerial pursuant to Section 18801.1.

9 (b) The executive officer, deputy executive officers, and the
10 assistant executive officers may administer oaths.

11 (c) When fixing the compensation for the positions specified in
12 subdivision (a), the board shall be guided by the principles
13 contained in Sections 19826 and 19829, consistent with its
14 fiduciary responsibility to its members to recruit and retain highly
15 qualified and effective employees for these positions.

16 (d) When a position specified in subdivision (a) is filled through
17 a general civil service appointment, it shall be filled from an
18 eligible list based on an examination that was held on an open
19 basis, and tenure in the position shall be subject to the provisions
20 of Article 2 (commencing with Section 19590) of Chapter 7 of
21 Part 2 of Division 5 of Title 2. In addition to the causes for action
22 specified in that article, the board may take action under the article
23 for causes related to its fiduciary responsibility to its members,
24 including the employee’s failure to meet specified performance
25 objectives.

26 (e) An individual who held a position designated in subdivision
27 (a), or was a member of the board, a deputy executive officer, or
28 an assistant executive officer, shall not, for a period of two years
29 after leaving that position, for compensation, act as agent or
30 attorney for, or otherwise represent, any other person, except the
31 state, by making any formal or informal appearance before, or any
32 oral or written communication to, the Public Employees’
33 Retirement System, or any officer or employee thereof, if the
34 appearance or communication is made for the purpose of
35 influencing administrative or legislative action or any action or
36 proceeding involving the issuance, amendment, awarding, or
37 revocation of a permit, license, grant, contract, or sale or purchase
38 of goods or property.

1 ~~SECTION 1.—It is the intent of the Legislature to enact~~
2 ~~legislation that would implement a pilot program to allow school~~
3 ~~districts to provide a digital curriculum.~~

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