

Introduced by Senator Walters

February 23, 2012

An act to amend Section 20098 of the Government Code, relating to retirement.

LEGISLATIVE COUNSEL'S DIGEST

SB 1232, as introduced, Walters. Retirement.

The Public Employees' Retirement Law (PERL) vests the management and control of the Public Employees' Retirement System (PERS) in the Board of Administration of PERS. 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. PERL also requires the board to be guided by specified principles when fixing those compensations.

This bill would make technical, nonsubstantive changes to those provisions.

Vote: majority. Appropriation: no. Fiscal committee: no.
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~~ 19832, shall fix
5 the compensation of an executive officer, a general counsel, a chief
6 actuary, a chief investment officer, a chief financial officer, and

1 other investment officers and portfolio managers whose positions
2 are designated managerial pursuant to Section 18801.1.

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

5 (c) When fixing the compensation for the positions specified in
6 subdivision (a), the board shall be guided by the principles
7 contained in Sections 19826 and 19829, consistent with its
8 fiduciary responsibility to its members to recruit and retain highly
9 qualified and effective employees for ~~these~~ *those* positions.

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

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

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