

2008

Legislative Summary 2007-2008

Assembly Committee on Public Employees, Retirement and Social Security

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ASSEMBLY COMMITTEE ON PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY

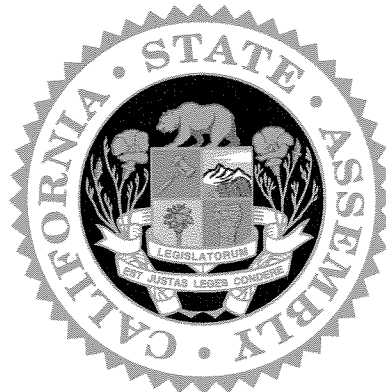
ASSEMBLYMAN ED HERNANDEZ, O.D.
CHAIR

LEGISLATIVE SUMMARY 2007 - 2008

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California Legislature

Assembly Committee on

PUBLIC EMPLOYEES, RETIREMENT AND SOCIAL SECURITY

ASSEMBLYMEMBER
ED HERNANDEZ, O.D.
CHAIRMAN



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October 3, 2008

To all Interested Parties:

The following summary of legislation reviewed by the Assembly Committee on Public Employees, Retirement and Social Security during the 2007-08 legislative session includes a brief description of all bills and the status of those bills at the end of the legislative session.

For additional information regarding this summary, or other activities of the Committee, please contact the committee staff at (916) 319-3957.

Sincerely,

A handwritten signature in black ink, appearing to be "Ed Hernandez", written over a horizontal line.

Ed Hernandez, O.D.
Chair

**ASSEMBLY COMMITTEE ON
PUBLIC EMPLOYEES, RETIREMENT
AND
SOCIAL SECURITY**

**ED HERNANDEZ, O.D.
CHAIRMAN**

2007-08 SUMMARY OF LEGISLATION

MEMBERS

Ed Hernandez, O.D., Chair
Kevin Jeffries, Vice Chair
Joel Anderson
Gene Mullin
Nell Soto
Alberto Torrico

STAFF

Karon Green, Chief Consultant
Wendy Burke, Committee Secretary

Assembly Bill 36 (Niello) – Would have enacted new criminal fraud provisions in the Public Employees' Retirement Law, the Teachers' Retirement Law, and the County Employees' Retirement Act of 1937 ('37 Act).

Failed Passage in the Senate Public Employment and Retirement Committee.

Assembly Bill 67 (Dymally) – Standardizes and defines language in the Dymally-Alatorre Bilingual Services Act, clarifies the State Personnel Board's (SPB's) responsibility to establish bilingual fluency standard, and expands the SPB's ability to grant exemptions to the language survey and implementation plan.

Chapter 259, Statutes of 2007.

Assembly Bill 130 (Nakanishi) – Would have required that excluded state employees who supervise or manage employees represented by any of the 21 state bargaining units receive the same salary increases and benefit packages that are equal to, or better than, those received by the employees they supervise or manage.

Held in the Assembly Appropriations Committee.

Assembly Bill 219 (Jeffries) – Would have required a California Public Employees' Retirement System (CalPERS) member who retired for disability after age 50 to submit to a medical re-evaluation for up to 36 months or face a penalty or benefit cancellation for refusal.

Not heard in the Assembly Public Employees, Retirement & Social Security Committee at the request of the author.

Assembly Bill 220 (Bass) – Enacts the Firefighters Procedural Bill of Rights Act establishing various rights of firefighters, paramedics and emergency medical technicians, as specified, with regard to political activity, interrogation, punitive action, and administrative appeals.

Chapter 591, Statutes of 2007.

Assembly Bill 221 (Anderson) – Prohibits CalPERS and the California State Teachers' Retirement System (CalSTRS) from investing public employee retirement funds in companies that have specified energy- or defense-related operations in Iran.

Chapter 671, Statutes of 2007.

Assembly Bill 246 (Torrico) – Prohibits a member of the board of retirement of a county operating a retirement system under the '37 Act from selling investment products that would be considered an asset of the fund to their own, or any other, '37 Act retirement system.

Chapter 315, Statutes of 2007.

Assembly Bill 275 (Soto) – Would have provided a different method for calculating the disability retirement allowance of specified CalPERS local safety members.

Not heard in the Assembly Public Employees, Retirement & Social Security Committee at the request of the author.

Assembly Bill 376 (Nava) – Would have allowed local contracting agencies of CalPERS to reclassify specified airport law enforcement officers as local safety members.

Vetoed by the Governor.

Assembly Bill 384 (Portantino) – Enacts the California Fallen Federal Firefighter Survivor Assistance Act of 2007 to provide health benefit coverage to survivors of fallen federal firefighters who were California residents and whose regular duty assignments were to perform firefighting services in California, with specified conditions relating to other federal benefits.

Chapter 255, Statutes of 2007.

Assembly Bill 385 (Ruskin) – Would have required the state and the exclusive representative for State Bargaining Unit (BU) 10, Professional Scientific, to jointly survey salaries in scientific classifications in California public agencies and to report their findings to the Legislature.

Vetoed by the Governor.

Assembly Bill 489 (Charles Calderon) – Would have required the state to pay members of BU 19, Health and Social Services/Professional, the estimated average total compensation for each corresponding class of employees in other private and/or federal entities.

Held in the Assembly Appropriations Committee.

Assembly Bill 503 (Swanson) – Would have required the California Research Bureau to conduct a study on the issues related to requiring state and local agencies to provide eight-hours' prior written notice when requiring an employee to work overtime.

Held in Senate Rules Committee.

Assembly Bill 524 (Hancock) – Would have made the statutory changes needed to implement a negotiated collective bargaining agreement between the West County Waste Water District in Contra Costa County and their employees.

Vetoed by the Governor.

Assembly Bill 526 (Evans) – Would have extended the meet and confer rights currently provided to state excluded employees to state managerial employees and provided mediation as a fifth step in the excluded state employees' grievance procedure.

Held in the Assembly Appropriations Committee.

Assembly Bill 545 (Walters) – Establishes a procedure to allow CalPERS to process applications to purchase service credit for active duty military leave by members of the Judges Retirement System II (JRS II) and comply with the federal Uniformed Services Employment and Reemployment Rights Act (USERRA).

Chapter 626, Statutes of 2008.

Assembly Bill 553 (Hernandez) – Would have clarified the Public Employment Relations Board's (PERB) exclusive authority to determine, under the Meyers-Milias-Brown Act (MMBA), whether to seek from a court of competent jurisdiction injunctive relief involving relations between an employee organization and a public agency.

Vetoed by the Governor.

Assembly Bill 554 (Hernandez) – Expands the group of employers eligible to participate in the California Employers' Retirement Benefit Trust Fund (Prefunding Plan) administered by CalPERS to include all California public employers. The Prefunding Plan allows agencies that contract with CalPERS for employee health benefits to prefund the future cost of their retiree health insurance benefits and other post-employment benefits (OPEB).

Chapter 318, Statutes of 2007.

Assembly Bill 580 (Smyth) – Allows the Los Angeles Unified School District to select an employee from other than the first three ranks on a merit system employment list, as specified.

Chapter 528, Statutes of 2007.

Assembly Bill 671 (Beall) – Would have expanded Medi-Cal eligibility to include individuals who are frequent users of health services, as defined, and who are otherwise uninsured and ineligible for Medi-Cal benefits, provided the individual meets Medi-Cal medically needy income eligibility requirements. As heard in the Assembly PER&SS Committee, this bill provided qualified foster youth and former foster youth, as specified, preference points for civil service employment and establishes the Emancipated Foster Youth Program to provide state employment opportunities for qualified foster youth and former foster youth.

Held in the Senate Appropriations Committee.

Assembly Bill 696 (Hernandez) – Would have provided that a state employee, who is a member of the California National Guard or a United States military reserve organization and was ordered into active duty on or after September 11, 2001, and who is employed by the state on or after January 1, 2008, is entitled to retain any hazardous duty pay, hostile fire pay, imminent danger pay or any other special incentive pay provided by the federal government.

Held in the Senate Appropriations Committee.

Assembly Bill 753 (P.E.,R. & S.S. Com.) – Allows the Los Angeles County Board of Supervisors to provide compensation to specified members of the board of retirement for reviewing disability retirement cases, allows the boards of supervisors in '37 Act counties to pay per diem, as specified, to the alternate retired board member, and allows the alternate safety member to sit and vote on the retirement board if the retired member and alternate retired member are absent from a '37 Act county board of retirement meeting.
Chapter 320, Statutes of 2007.

Assembly Bill 754 (P.E.,R. & S.S. Com.) – Approves addenda to a memoranda of understanding (MOU) entered into by the state and BU 1 (Professional, Administrative, Financial, and Staff Services), 5 (Highway Patrol), 7 (Protective Services and Public Safety), and 16 (Physicians, Dentists and Podiatrists).
Chapter 321, Statutes of 2007.

Assembly Bill 756 (P.E.,R. & S.S. Com.) – Approves addenda requiring the expenditure of funds to MOUs entered into by the state and BU 1 (Professional, Administrative, Financial, and Staff Services), 3 (Professional Educators and Librarians), 8 (Firefighters), 18 (Psychiatric Technicians), 19 (Health and Social Services/Professional), and 20 (Medical and Social Services).
Chapter 322, Statutes of 2007.

Assembly Bill 757 (P.E.,R. & S.S. Com.) – Makes grammatical, technical and conforming changes to various sections of the Education Code administered by CalSTRS that are necessary for the continued efficient administration of the system.
Chapter 323, Statutes of 2007.

Assembly Bill 775 (Niello) – Prohibits a retired annuitant of a '37 Act county from being hired by the same '37 Act county from which they retired, if during the 12-month period prior to the appointment, the retired annuitant received unemployment insurance payments arising out of prior employment with that employer.
Chapter 57, Statutes of 2007.

Assembly Bill 789 (Mullin) – Would have restored, over time, the \$500 million that was not transferred from the state General Fund to the CalSTRS Supplemental Benefit Maintenance Account in fiscal year 2003-04, by making additional General Fund transfers beginning July 1, 2010 to July 1, 2014.
Died on the Senate Inactive File.

Assembly Bill 863 (Davis) – Would have required the Los Angeles County Superior Court to pay each employee in certain, specified bargaining units represented by the American Federation of State, County and Municipal Employees an amount equivalent to the additional amount the employee would have received if the reclassification raise the employee received on October 1, 2005, were retroactive to August 1, 2005.
Died on the Assembly Inactive File.

Assembly Bill 933 (Jeffries) – Repeals obsolete statutes relating to salaries of elected officials and makes other technical, clarifying, and code maintenance changes to salaries and titles of state officials.

Chapter 142, Statutes of 2007.

Assembly Bill 991 (Charles Calderon) – Would have established the Deferred Retirement Option Program (DROP) as a supplemental benefit program in CalPERS for exempted and excluded employees in state BUs 5 (Highway Patrol), 6 (Corrections), 7 (Protective Services and Public Safety), and 8 (Firefighters).

Held in Assembly Appropriations Committee.

Assembly Bill 1124 (Karnette) – Makes technical and clarifying changes to the provisions allowing '37 Act counties to establish new trust funds for the sole purpose of prefunding other post-employment benefits (OPEBs) for retirees, allows '37 Act systems to augment their administrative budget, until January 1, 2013, to account for certain expenses relating to computer hardware, software and consulting services, and permits the alternate safety member to hold positions on committees of the board, as specified, and to participate in the deliberations of the board or its committees, as specified.

Chapter 327, Statutes of 2007.

Assembly Bill 1194 (Karnette) – Gives public school employees the right to represent themselves individually in their employment relations, except that once an exclusive representative has been recognized the employee would be prohibited from meeting and negotiating with the public school employer.

Chapter 21, Statutes of 2007.

Assembly Bill 1242 (Karnette) – Allows the Los Angeles Unified School District to fill vacancies in three specified job classes from ranks other than the top three ranks of an employment list, provided that at least three candidates from the list are considered.

Chapter 694, Statutes of 2007.

Assembly Bill 1255 (Parra) – Permits the Board of Supervisors in Fresno County to adopt specified provisions necessary to implement a collectively bargained agreement between Fresno County and the Service Employees International Union Local 521.

Chapter 86, Statutes of 2007.

Assembly Bill 1288 (Hayashi) – Establishes the County Retirement System Vision Care Program (Program) to provide vision care benefits to county and district retirees and their dependents of '37 Act counties that elect to offer the Program.

Chapter 331, Statutes of 2007.

Assembly Bill 1296 (Torrico) – Requires health benefit plans providing services under the Public Employees' Medical and Hospital Care Act (PEMHCA) to provide CalPERS with claims payment data for each member, and contract payment amounts for services rendered by hospitals.

Chapter 698, Statutes of 2007.

Assembly Bill 1307 (Krekorian) – Allows CalPERS to accept public agency and school employer contributions on behalf of participating employees in the Supplemental Contribution Plan (SCP) and expands eligibility to participate in SCP to all California public agencies.

Chapter 511, Statutes of 2007.

Assembly Bill 1316 (Bass) – Allows members of the CalSTRS Defined Benefit Program who apply for disability to receive a service retirement allowance during the time it takes to process the disability application.

Chapter 332, Statutes of 2007.

Assembly Bill 1317 (Mullin) – Expands the list of positions under which the CalPERS and CalSTRS boards have authority to set compensation and terms and conditions of employment to include the general counsel.

Chapter 333, Statutes of 2007.

Assembly Bill 1377 (Nakanishi) – Would have required the CalPERS Board of Administration to offer a health savings account option to all employees and annuitants beginning January 1, 2009, and to approve, in addition to the basic health benefits plans, at least one high deductible health plan.

Failed Passage in the Assembly Public Employees, Retirement & Social Security Committee.

Assembly Bill 1432 (Soto) – Allows members of the CalSTRS Defined Benefit Program to purchase service credit for service performed while an employee of a foreign public school, as specified, and allows beneficiaries of CalSTRS members other than spouses to roll over a benefit distribution.

Chapter 513, Statutes of 2007.

Assembly Bill 1463 (Eng) – Would have expanded the definition of "public school employer" and "employer" to include joint powers agencies (JPAs) for purposes of collective bargaining protection under the Education Employment Relations Act.

Held in Senate Appropriations Committee.

Assembly Bill 1480 (Mendoza) – Allows CalSTRS to offer a Roth Individual Retirement Account (IRA) for the purpose of rolling over assets held in an annuity contract or custodial account offered by the system.

Chapter 432, Statutes of 2008.

Assembly Bill 1496 (Leno) – Declares that Treasure Island Development Authority's (TIDA) redevelopment plan will not result in the displacement of low- or moderate-income people. Further declares that the formation of a redevelopment project area committee is not required. Requires TIDA to consult with the Treasure Island/Yerba Buena Island Citizens Advisory Board as long as the Citizens Advisory Board remains in existence. As heard in the Assembly PER&SS Committee, this bill was authored by Assemblymember Swanson and would have established minimum requirements that must be complied with by a city or county when adopting a personnel system, merit system, or civil service system.

Chapter 318, Statutes of 2008.

Assembly Bill 1523 (Soto) – Would have appropriated, in a continuous manner, from the General Fund and other specified funds, an amount necessary to pay state employees in accordance with current memoranda of understanding in the event a state budget has not been enacted on or after July 1 of a fiscal year.

Held in Assembly Appropriations Committee.

Assembly Bill 1626 (Mullin) – Adds specific references to various Internal Revenue Code sections to the '37 Act to ensure that '37 Act retirement systems operate in accordance with federal law.

Chapter 212, Statutes of 2008.

Assembly Bill 1702 (Blakeslee) – Provides the Department of Transportation (Caltrans) permanent authority to consolidate the managerial candidate selection and hiring process tested in the five-year Managerial Selection Demonstration Project, requires a department to file a report with the SPB, as specified, if a demonstration project is made permanent by the Legislature on or after January 1, 2008, and allows the SPB to hold public hearings on the information provided in the report, as specified.

Chapter 284, Statutes of 2007.

Assembly Bill 1775 (Davis) – Would have ratified the provisions of a MOU between the state and state BU 19, Health and Social Services/Professional, represented exclusively by the American Federation of State, County and Municipal Employees.

Died on Assembly Third Reading.

Assembly Bill 1817 (Huffman) – Would have ratified the provisions of a MOU between the state and state BU 16, Physicians, Dentists and Podiatrists, represented exclusively by the Union of American Physicians and Dentists.

Died on Assembly Third Reading.

Assembly Bill 1844 (Hernandez) – Implements various recommendations made by the Governor's Public Employee Post-Employment Benefits Commission. Specifically, this bill:

- 1) Establishes a definition of, and penalties for, fraud when done so in connection with benefits, or an application for benefits, administered by CalPERS, CalSTRS or a '37 Act retirement system.
- 2) Requires that workers' compensation insurers and the Director of the Employment Development Department (EDD) provide CalPERS investigators with information they deem necessary when investigating someone concerning the application for, or the receipt of, CalPERS benefits.
- 3) Requires the California State Controller (Controller) to publish the currently required annual report on the financial condition of California's public retirement systems within 12 months of the receipt of the information, and in no case later than 18 months after end of the fiscal year upon which the information in the report is based.
- 4) Authorizes CalPERS to request information from the Director of EDD and from any workers' compensation insurer as part of an investigation of unlawful application for, or receipt of, benefits provided by that retirement system.

Chapter 369, Statutes of 2008.

Assembly Bill 1858 (Jeffries) – Would have required the forfeiture of public retirement benefits by a public employee, first hired on or after January 1, 2009, that is convicted of a felony, as specified, arising out of his or her official duties.

Failed Passage in the Assembly Public Employees, Retirement & Social Security Committee.

Assembly Bill 1917 (Dymally) – Would have allowed, upon approval by the Los Angeles County board of supervisors, the surviving spouse of a physician or a dentist working in a county jail or a locked county mental health facility, who dies as the result of an injury that is a direct consequence of a violent act perpetrated by an inmate, to receive a specified monthly death benefit allowance.

Vetoed by the Governor.

Assembly Bill 1936 (Emmerson) – Permits a nonprofit mutual water company to contract with CalPERS to provide retirement and health care coverage for its employees.

Chapter 191, Statutes of 2008.

Assembly Bill 1963 (Carter) – Establishes in the '37 Act a prohibition on receiving credit for the same service in two retirement systems similar to the one contained in the Public Employees' Retirement Law (PERL) and specifies that this prohibition does not preclude concurrent participation in a supplemental defined contribution plan or supplemental defined benefit plan governed by the '37 Act, as specified.

Chapter 219, Statutes of 2008.

Assembly Bill 1967 (Torrico) – Would have prohibited CalPERS and CalSTRS from making new, additional, and/or renewed investments in private equity companies owned in whole or in part by sovereign wealth funds (SWFs), or in private equity funds managed directly or indirectly by a private equity company owned in whole or in part by a SWF, affiliated with countries that have not signed or become a party to at least 5 of 6 specified treaties covering basic human rights.

Not heard in the Assembly Public Employees, Retirement & Social Security Committee at the request of the Author.

Assembly Bill 1997 (Hayashi) – Would have established a self-funded vision care program for retired local members, school members, university members and their dependents to be administered by CalPERS effective on or before January 1, 2010.

Vetoed by the Governor.

Assembly Bill 2023 (Houston) – Requires CalPERS, CalSTRS, and the '37 Act retirement systems, when determining eligibility for a disability retirement benefit, to only consider competent medical documentation and prohibits personnel, disciplinary, or other non-medical issues from being considered.

Chapter 370, Statutes of 2008.

Assembly Bill 2036 (De La Torre) – Would have required an unfair labor practice charge filed in Los Angeles County, as specified, pursuant to provisions of the MMBA, to be calendared for hearing within 90 days of the charge being filed.

Held in the Assembly Appropriations Committee.

Assembly Bill 2041 (Fuentes) – Requires, upon the death of a member, the accumulated contributions made by the member, with interest, be paid to the member's beneficiaries. These provisions only apply to members of the noncontributory retirement plans in Los Angeles and Santa Barbara counties.

Chapter 72, Statutes of 2008.

Assembly Bill 2156 (Hernandez) – Extends the CalPERS special death benefit to the surviving spouse of a police officer or firefighter whose death occurs from a single event injury that occurs in the line of duty and renders the officer into a persistent vegetative state from the time of injury until the time of death. These provisions apply only to members that retired and then died on or after July 3, 2006.

Chapter 74, Statutes of 2008.

Assembly Bill 2158 (Soto) – Provides that if a dependent or former dependent of a correctional officer at a state prison contracts a blood-borne infectious disease from the employee, as specified, he/she may be compensated for health care costs associated with the disease.

Chapter 668, Statutes of 2008.

Assembly Bill 2191 (Mullin) – Eliminates the authority of the State Controller's Office to purchase annuity contracts for specified state employees and instead allows these employees to participate in the CalSTRS annuity program.

Chapter 230, Statutes of 2008.

Assembly Bill 2202 (Caballero) – Requires every employer participating in CalPERS to provide specified information to CalPERS concerning employees not currently mandated into coverage, such as part-time, seasonal, or temporary employees, and allows CalPERS to enter into an agreement with a contracting agency to terminate inactive member groups, as specified.

Chapter 261, Statutes of 2008.

Assembly Bill 2250 (Sharon Runner) – Allows state officers and employees of district agricultural associations to receive compensation from nonprofit corporations, as specified.

Chapter 452, Statutes of 2008.

Assembly Bill 2287 (Evans) – Conforms the definition of "surviving spouse" as it relates to the current program administered by CalPERS that provides continuing health benefit coverage to survivors of fallen firefighters or peace officers killed in the line of duty, or who died as a result of a disease contracted as a result of employment, with other existing law definitions of "surviving spouse" related survivors of fallen peace officers or firefighters. In addition, this bill expands the timeframe, from 10 days to 10 business days, in which a death of an employee must be reported to CalPERS when there are survivors who might be eligible for the health benefits coverage.

Chapter 455, Statutes of 2008.

Assembly Bill 2308 (Karnette) – Would have allowed the SPB to waive, as a reasonable accommodation, the requirement that candidates for state civil service positions have a high school diploma. This waiver would only apply to eligible persons with disabilities who are otherwise qualified for the position, as specified.

Vetoed by the Governor.

Assembly Bill 2333 (Price) – Would have required each state and local public safety agency to provide the Attorney General's office with copies of the policies it has in place to ensure that the use of derogatory epithets or adverse treatment of individuals based on sex, race, color, ancestry, religion, national origin, ethnicity, disability, sexual orientation, marital status, or medical condition is prohibited. It does not require the Attorney General to act on this information.

Held in the Assembly Appropriations Committee.

Assembly Bill 2350 (Garrick) – Would have required, by January 1, 2013, each employer participating in PEMHCA administered by the CalPERS to participate in a prefunding plan for retiree health care benefits and other post-employment benefits (OPEB).

Failed passage in the Assembly Public Employees, Retirement & Social Security Committee.

Assembly Bill 2390 (Karnette) – Extends the sunset date of the CalSTRS' post-retirement earnings limit exemptions from June 30, 2009 to June 30, 2010, and expands eligibility, where applicable, by one year to members who retired on or before January 1, 2007, and permits CalSTRS members who retired between June 30, 2007, and December 31, 2007, to purchase service credit for service performed prior to retirement in a publicly funded educational institution outside the United States.

Chapter 494, Statutes of 2008.

Assembly Bill 2519 (Hayashi) – Would have appropriated an unspecified amount from various funds, including the General Fund, to implement salary recommendations of DPA needed to bring the salaries of supervisory scientists in line with the salaries of supervisory engineers, as specified.

Held in the Assembly Appropriations Committee.

Assembly Bill 2526 (Berryhill) – Would have made various changes to the process for filling vacancies on boards of retirement and boards of investment in counties operating retirement systems under the '37 Act.

Failed passage in the Senate Public Employment and Retirement Committee.

Assembly Bill 2576 (Furutani) – Would have required a school district with a pupil population exceeding 400,000, that collects or deducts money from a classified employee's salary for employee organization dues or fair share fees, to provide, along with the money, all data related to those funds to the employee organization.

Vetoed by the Governor.

Assembly Bill 2635 (Beall) – Would have revised provisions governing the hiring of disabled persons into state employment to specifically include providing opportunities for disabled individuals who are able to work with support provided by a supported employment program.

Held in the Senate Appropriations Committee.

Assembly Bill 2666 (Plescia) – Would have made various changes to the '37 Act as it relates to the San Diego County Employees' Retirement Association.

Died on the Senate Inactive File.

Assembly Bill 2673 (Feuer) – Conforms provisions of the '37 Act to be consistent with the provisions of the California Domestic Partnership Act of 2003.

Chapter 197, Statutes of 2008.

Assembly Bill 2677 (Krekorian) – Would have required the State Treasurer to annually publish a report listing businesses that are profiting from genocide.

Held in the Assembly Appropriations Committee.

Assembly Bill 2699 (Furutani) – Would have allowed peace officers, in school districts employing 20 or more full-time police officers, to join or participate in employee organizations composed solely of those peace officers.

Not voted on in the Assembly Public Employees, Retirement & Social Security Committee at the request of the Author.

Assembly Bill 2701 (Furutani) – Would have ratified the provisions of a MOU between the state and state BU 9, Professional Engineers, represented exclusively by the Professional Engineers in California Government.

Died on Assembly Third Reading.

Assembly Bill 2707 (Berryhill) – Would have ratified the provisions of a MOU between the state and state BU 8, Firefighters, represented exclusively by the California Department of Forestry Firefighters.

Died on Assembly Third Reading.

Assembly Bill 2753 (Solorio) – Would have prohibited any state civil service classification as a "social worker" except for an individual who possesses a bachelor's, masters, or doctorate degree from an accredited school of social work.

Died on the Senate Inactive File.

Assembly Bill 2838 (Duvall) – Allows a member of CalPERS who was on an uncompensated leave of absence due to serious illness, to purchase service credit for that period of absence, as specified, upon his or her return to employment.

Chapter 470, Statutes of 2008.

Assembly Bill 2852 (Villines) – Would have made various changes to the California Whistleblower Protection Act and established a clearinghouse to receive, analyze and forward submissions from the general public recommending improvements in California government operations.

Held in the Assembly Appropriations Committee.

Assembly Bill 2940 (De Leon) – Would have created the California Employee Savings Program (CalESP) which would have required the CalPERS Board of Administration to offer individual retirement accounts or defined benefit plans to employees of private-sector or non-profit employers that do not otherwise provide access to retirement savings plans.

Held in the Senate Appropriations Committee.

Assembly Bill 3040 (PER&SS Committee) – Would have ratified the provisions of MOUs between the state and state BUs 1 (Professional, Administrative, Financial, and Staff Services), 3 (Professional Educators and Librarians), 4 (Office and Allied), 11 (Engineering and Scientific Technicians), 14 (Printing and Allied Trades), 15 (Allied Services), 17 (Registered Nurses), 20 (Medical and Social Services), and 21 (Educational Consultant and Library), represented exclusively by the Service Employees International Union, Local 1000.

Died on Assembly Third Reading.

Assembly Bill 3041 (PER&SS Committee) – Would have made several minor or technical amendments to various sections of the Government Code, administered by CalPERS, that are necessary for the continued efficient administration of the system.
Vetoed by the Governor.

Assembly Bill 3042 (PER&SS Committee) – Allows notices for various personnel actions to be served on state civil service employees by a means other than the United States mail, as specified, repeals civil service statutes that were held unconstitutional by the California Supreme Court, and makes other technical clarifying changes.

Chapter 150, Statutes of 2008.

Assembly Bill 3043 (PER&SS Committee) – Approves addenda requiring the expenditure of funds to MOUs entered into by the state and state BUs 2 (Attorneys, Hearing Officers, Administrative Law Judges), 4 (Office and Allied), 16 (Physicians, Dentists and Podiatrists), 17 (Registered Nurses), 19 (Health and Social Services/Professional), and 20 (Medical and Social Services).

Chapter 43, Statutes of 2008.

Assembly Bill 3044 (PER&SS Committee) – Provides clarification of various sections of the '37 Act as requested by the '37 Act county retirement systems. Specifically, this bill:

- 1) Codifies the existing practice of making payment to the ex-spouse's estate in the absence of a designated beneficiary.
- 2) Clarifies that the boards of retirement in Orange and San Bernardino counties are able to pay staff attorneys and investment personnel from system assets as is permitted to other '37 Act systems.
- 3) Allows a board of supervisors to require that the retirement allowance of safety members covered under both Social Security and the '37 Act "3% at age 50" retirement formula be computed based on a member's eligibility for federal old age and survivor's insurance coverage, as specified.
- 4) Makes other technical, nonsubstantive changes to the '37 Act by deleting obsolete provisions and updating references.

Chapter 164, Statutes of 2008.

Assembly Bill 3065 (Veterans Committee) – Permits a person retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty, to be eligible to apply for promotional civil service examinations, including examinations for career executive assignments, for which they meet the minimum qualifications as prescribed by the class specification.

Chapter 590, Statutes of 2008.

Assembly Joint Resolution 5 (Hernandez) – Requests the President and Congress of the United States to repeal two offset deductions, the Government Pension Offset and the Windfall Elimination Provision, from the Social Security Act that apply to teachers and other public employees in the state.

Resolution Chapter 116, Statutes of 2007.

Senate Bill 14 (Negrete McLeod) – Allows members of the California National Guard to qualify for membership in CalPERS, and to purchase additional CalPERS service credit, as specified.

Chapter 355, Statutes of 2007.

Senate Bill 134 (Cedillo) – Allows safety members, including firefighters, in Los Angeles (L.A.) County only, who are currently required to retire at age 60, to continue in employment, as specified, if these provisions are approved by the L.A. County Board of Supervisors.

Chapter 290, Statutes of 2007.

Senate Bill 221 (Runner) – Provides that certain statewide officeholders, who become members of the Legislators Retirement System (LRS) for the first time on or after January 1, 2008, will have their retirement benefit calculated based on their highest consecutive 12-month period of LRS-covered employment.

Chapter 74, Statutes of 2007.

Senate Bill 235 (Negrete McLeod) – Authorizes retirees of the California State University (CSU) to participate in the California State University Annuitant Vision Care Program and requires the office of the Chancellor of the CSU to administer the program for participating retirees.

Chapter 344, Statutes of 2007.

Senate Bill 259 (Negrete McLeod) – Would have allowed academic employees of the California State University to (CSU) to receive full service credit while they are on a reduced pay leave and for which they receive compensation in an amount less than full compensation, such as sabbatical leave. This bill also would have required the CSU to contribute all of the amount that is contributed by the employer if the member was not on a reduced pay leave, if that provisions is agreed upon in collective bargaining.

Vetoed by the Governor.

Senate Bill 392 (Ducheny) – Authorizes the Imperial County board of retirement to increase the monthly allowances of county retirees to a maximum of 80% of the purchasing power of the initial monthly allowances, if approved by the Imperial County board of supervisors.

Chapter 202, Statutes of 2008.

Senate Bill 431 (Aanestad) – Requires CalPERS to prepare a separate pension fund computation for trial court and all other members in Butte and Solano counties and requires those entities to supply relevant information to CalPERS. Additionally, this bill allows the Department of Personnel Administration (DPA) to appropriate fees paid by retirees participating in the self-funded vision care program to purchase insurance on their behalf.

Chapter 256, Statutes of 2007.

Senate Bill 579 (Wiggins) – Authorizes the Los Angeles County Board of Supervisors to adopt a resolution allowing firefighters who retired after April 1, 2007 to reinstate from retirement and work beyond the mandatory retirement age.

Chapter 21, Statutes of 2008.

Senate Bill 580 (Wiggins) – As heard in the Assembly PER&SS Committee, this bill was authored by Senator Wiggins and would have authorized the CalPERS Board of Administration to contract with out-of-state public employee pension and health systems to provide health care benefits for California employees and annuitants residing out of state. As passed by the Legislature, this bill revises limits on pawnbroker compensation and loan setup fees.

Chapter 651, Statutes of 2007.

Senate Bill 581 (Wiggins) – Transfers the Volunteer Firefighters Length of Service Award System from CalPERS to the California State Fire Employees Welfare Benefit Corporation (CSFEWBC).

Chapter 651, Statutes of 2007.

Senate Bill 608 (Wiggins) – Makes several changes to the provisions governing the ability of a member of the Judges' Retirement System I to elect an optional settlement prior to retirement.

Chapter 1, Statutes of 2008.

Senate Bill 870 (Ridley-Thomas) – As heard in the Assembly PER&SS Committee, this bill would have required that any adverse action taken against a managerial, supervisory, or confidential state employee be initiated within one year of the cause for discipline. Adverse actions based on fraud, embezzlement, or the falsification of records would also have been required to be served within one year after the discovery of the fraud, embezzlement, or falsification of records. As passed by the Legislature, this bill allows the California Housing Finance Agency to establish a mortgage refinance program through resolutions adopted by the Board of Directors rather than through promulgated rules and regulations.

Chapter 281, Statutes of 2008.

Senate Bill 901 (Padilla) – Extends the sunset date for various specified exemptions to the CalSTRS post-retirement earnings limit from January 1, 2008, until June 30, 2009, and makes most of the exemptions available to teachers that had retired on or before January 1, 2006.

Chapter 353, Statutes of 2007.

Senate Bill 1123 (Wiggins) – Revises "sunshine" provisions in California pension law, and creates the California Actuarial Advisory Panel to provide impartial and independent information on pensions, other post-employment benefits (OPEB), and best practices to public agencies.

Chapter 371, Statutes of 2008.

Senate Bill 1353 (Negrete McLeod) – Authorizes the Governor to issue an executive order extending existing benefits for state employees who are members of the California National Guard or Armed Forces Reserve and are called to active duty as a result of the War on Terrorism from 730 days (24 months) to 1, 825 days (60 months).

Chapter 592, Statutes of 2008.

Senate Bill 1376 (Wiggins) – Would have made various minor and technical amendments to the Teachers' Retirement Law to facilitate efficient administration of CalSTRS.

Vetoed by the Governor.

Senate Bill 1472 (Ashburn) – Allows, until January 1, 2013, prior state employees who have had permanent civil service status, and former legislative or nonelected exempt employees with at least two years of consecutive service, to apply for and compete in Career Executive Assignment (CEA)" examinations.

Chapter 353, Statutes of 2008.

Senate Bill 1496 (Ashburn) – Clarifies existing law to identify those exempt and excluded employees who may be classified in CalPERS as peace officers and firefighters (PO/FF) for retirement purposes.

Chapter 408, Statutes of 2008.

Senate Bill 1505 (Yee) – Would have extended the protections of the California Whistleblower Protection Act (Act) to former state employees, and adds reasonable attorneys fees to the relief one may recover under the Act.

Vetoed by the Governor.

Senate Bill 1586 (Negrete McLeod) – Would have authorized the San Bernardino County Board of Retirement to establish a post-employment health benefits fund for the investment of assets held in trust for the exclusive purpose of providing health benefits to the retirees of that county, and those of any participating local agency.

Vetoed by the Governor.

Senate Bill 1601 (Negrete McLeod) – Would have allowed state retirees, at their own expense, to participate in the States Group Legal Services Plan for state employees, provided that the Vision Care Program for State Annuitants Fund is a continuously appropriated fund vs. requiring a yearly appropriation as is currently the case, allowed the State's vision services provider to directly bill an annuitant whose monthly CalPERS retirement benefit check is not enough to cover the premium cost, and allowed former legislators who have served six or more years, to participate in the Vision Care Program at their own expense.

Vetoed by the Governor.

Senate Bill 1676 (Negrete McLeod) – Would have required school and community college district personnel commissions to determine the compensation for their personnel directors and to supervise the personnel director.

Held in the Assembly Appropriations Committee.

Senate Bill 1718 (Perata) – Would have required DPA to annually conduct a survey of specified public entities relative to salary, compensation, and benefits paid to their legal professionals in order to provide the state with an accurate assessment of the relevant labor market. DPA would have been required to report the findings and analysis of the survey to the Legislature, Governor and the exclusive representative of state BU 2, California Attorneys, Administrative Law Judges and Hearing Officers in State Employment, by March 15 of each year.

Vetoed by the Governor.

Senate Bill 1758 (Yee) – Would have ratified the provisions of a MOU between the state and state BU 10, Professional Scientific, represented exclusively by the California Association of Professional Scientists.

Died on the Assembly Inactive File.