



May 21, 2014

The Honorable Rob Bonta
Chair, Assembly Public Employees, Retirement
and Social Security Committee
State Capitol, Room 6025
Sacramento, CA 95814

RE: Senate Bill 1219 (Torres) - SUPPORT

Dear Assembly Member Bonta:

On behalf of the Rural County Representatives of California (RCRC), I offer our support for Senate Bill 1219, authored by Senator Norma Torres, which would, among other provisions, clarify how public employment retirees may serve in elected offices.

RCRC is an association of thirty-four rural California counties and the RCRC Board of Directors is comprised of elected supervisors from those member counties. The overwhelming majority of RCRC member county supervisors receive minimal compensation for their service. However, although minimal, it is appropriate to receive compensation for the many hours per week they must exercise to fulfill the duties of their office. Furthermore, in many rural areas, public employment is often the most attractive occupational opportunity. Thus, it is common that many former employees of California Department of Forestry and Fire Protection (CAL FIRE), the California Highway Patrol, California Department of Transportation (Caltrans), district agriculture associations (fairs), as well as municipalities hold seats on their local boards of supervisors.

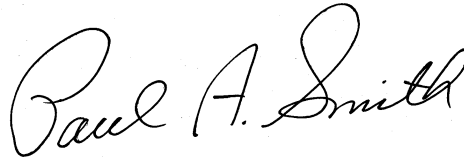
For decades, California retirement law allowed for elected officials to retain their retirement status and still serve in elected office with compensation. However, when the Legislature enacted the Public Employees' Pension Reform Act (PEPRA) in 2013, it called into question whether those who retired from public service can hold office and/or hold office without reinstating into a respective public pension system. We believe that the Legislature never intended to call into question these situations when enacting comprehensive pension reform. Rather, this was one of the many complex details that simply were not addressed or even contemplated in the crafting of the PEPRA provisions. Nevertheless, the law – as it stands today - is ambiguous, at best.

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SB 1219 provides the clarity the California Public Employment Retirement System (CalPERS), as well as local pension systems organized under the "37 Act," need to appropriately administer California's retirement law. This bill maintains the current practice that has served municipalities well for several decades. Failure to enact these clarifying positions would most likely require these individuals to reinstate and subsequently lose their retirement compensation in exchange for very modest compensation under each county's salary schedule. This has the practical effect of deterring public retirees from running for the Board of Supervisors and eliminates a large amount of a rural county's population from contemplating elected public service.

If you should have any questions or concerns regarding RCRC's support of SB 1219, please do not hesitate to contact me at (916) 447-4806.

Sincerely,

A handwritten signature in black ink that reads "Paul A. Smith". The signature is written in a cursive style with a large, looping initial "P".

PAUL A. SMITH
Senior Legislative Advocate

cc: The Honorable Norma Torres, Member of the California State Senate
Members of the Assembly Public Employees, Retirement and Social Security Committee
Danny Brown, California Public Employees Retirement System
Ms. Karon Green, Assembly Public Employees, Retirement & Social Security Committee