

# Legislative Affairs Strategic Measure Measure 14

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Deputy Executive Officer (DEO)

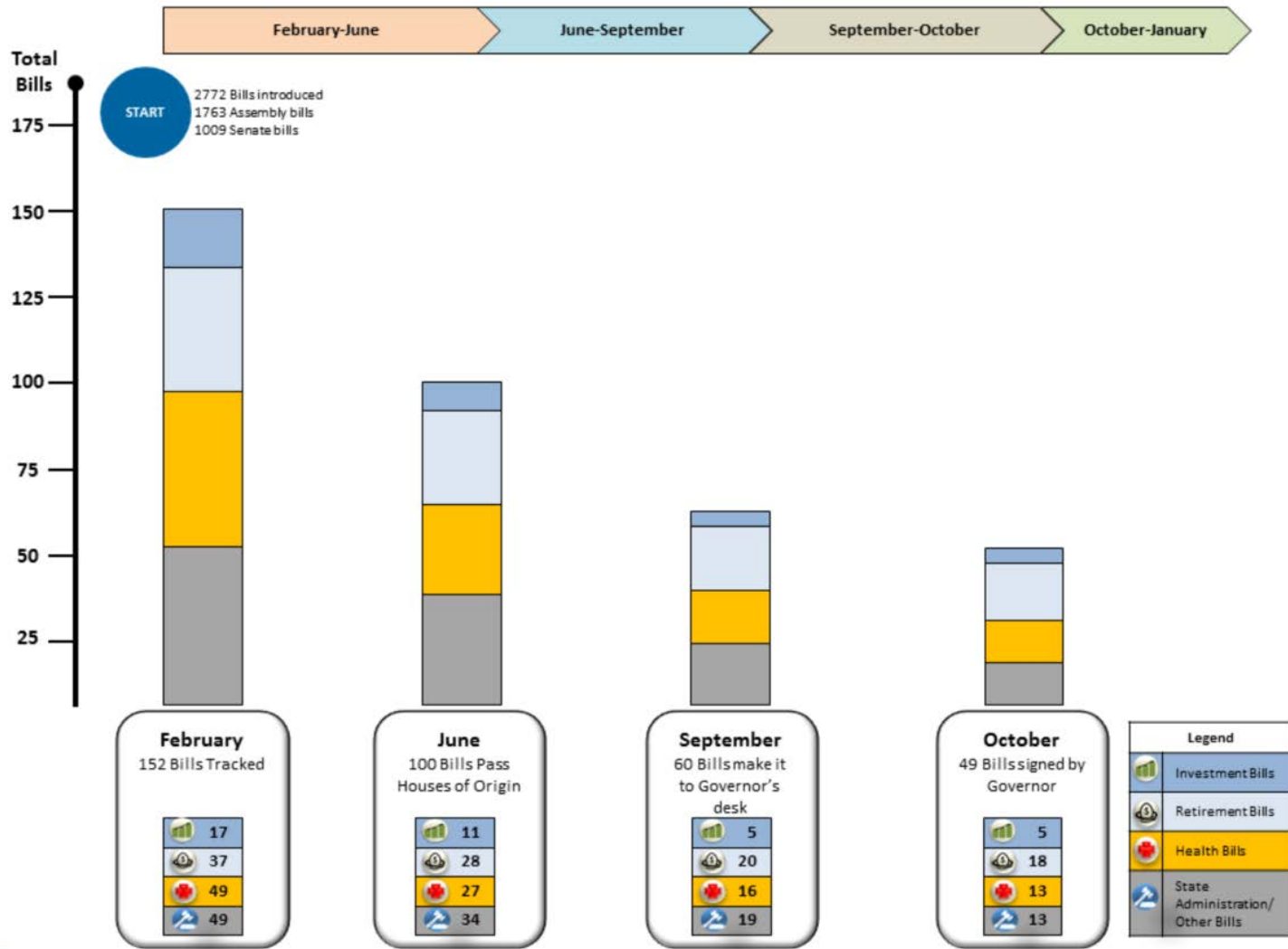
Benefit Programs Policy and Planning

Mary Anne Ashley

Chief

Legislative Affairs Division

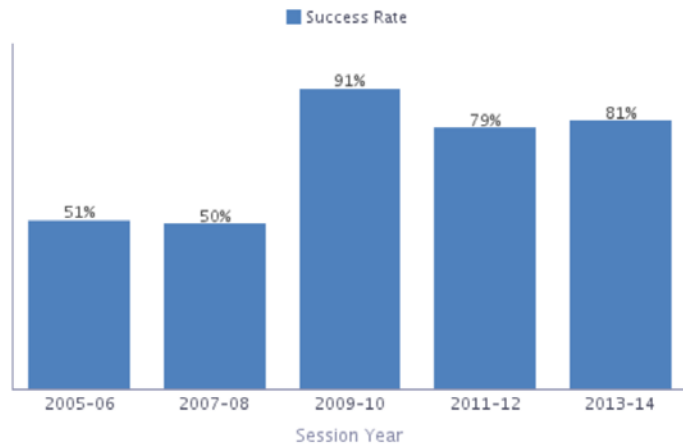
2015 Legislative Cycle



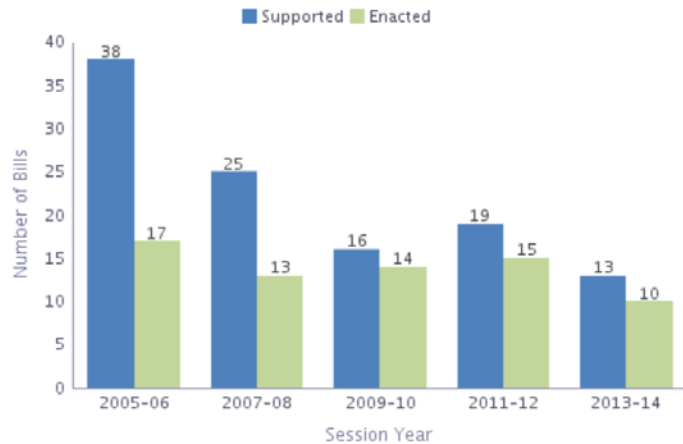
# Measure 14: Percentage of legislative bills enacted or defeated consistent with positions taken by the Board

## Enacted & Defeated Legislative Bills

Legislative Board Position Success Rate



Legislative Bills Supported and Enacted



Legislative Bills Opposed by the Board and Defeated

### Measure

Percentage of California State legislation enacted or defeated consistent with positions taken by the Board.

### Definition & Purpose

The data and analysis will provide the Board with a sense of the volume of CalPERS' legislative advocacy efforts at the statewide level in recent sessions. This presentation provides the basis for more strategic discussions on CalPERS' voice in the Capitol, and how it can be further developed.

### Glossary

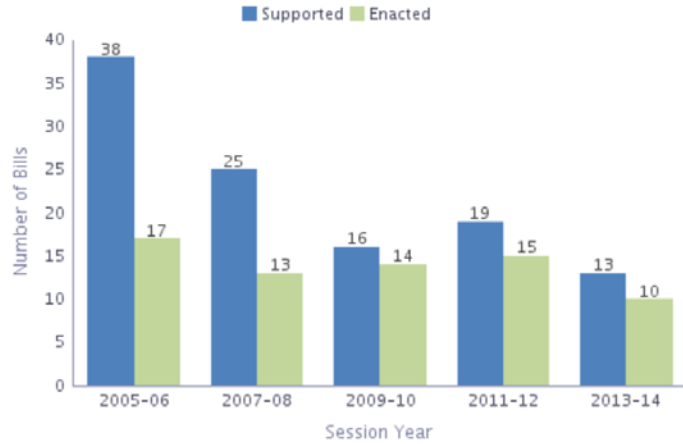
### Details & Analysis

- Where We Are
- Data Frequency
- Targets
- Interpretation of Results
- References & Sources

**Enacted & Defeated Legislative Bills**



**Legislative Bills Supported and Enacted**



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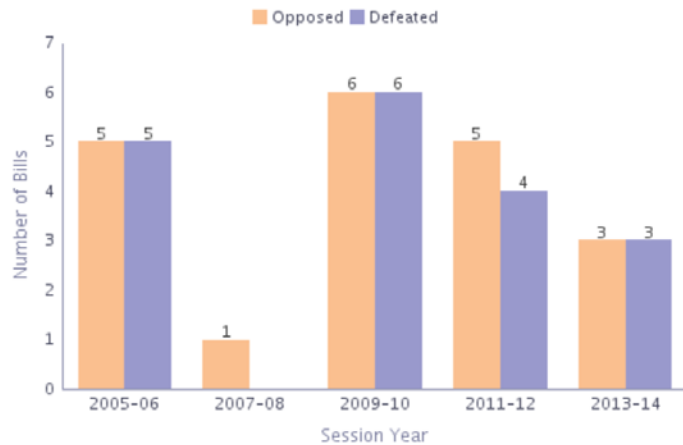
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**Legislative Bills Opposed by the Board and Defeated**

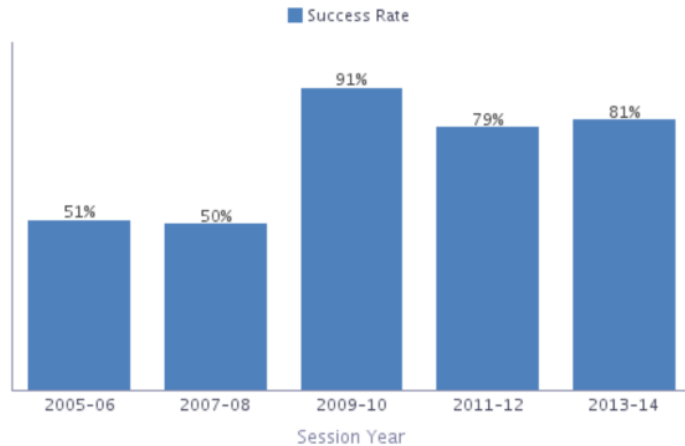


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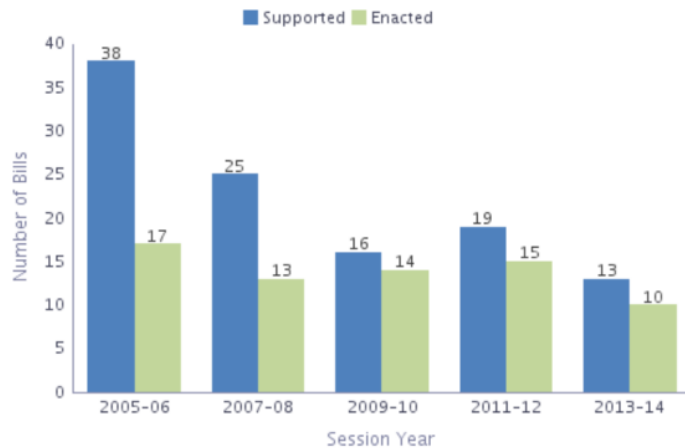
## Enacted & Defeated Legislative Bills



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Legislative Bills Supported and Enacted



Legislative Bills Opposed by the Board and Defeated

### Where We Are

Formerly known as the Office of Governmental Affairs (GOVA), the Legislative Affairs Division (LAD) moved from the External Affairs Branch to the Benefit Programs Policy and Planning Branch at the end of 2014.

Quantifying our rates of success in a meaningful manner presents a number of challenges. CalPERS sponsors several bills each year, but as this represents a small percentage of the legislation LAD tracks, our work is mostly reactive, not proactive. Charting how many bills the Board took a position on, and whether the desired outcome was reached, is simple enough, but the story behind these outcomes is neither simple nor predictable.

This assessment measure does not include legislation that the Board does not take a position on, but that staff spends significant amounts of time providing both fiscal and policy information. It also does not account for testimony at informational hearings or participation in annual budget hearings and meetings. These are crucial to CalPERS' overall mission and its presence in the Capitol, but are not easily quantifiable in a "return on investment" type of measure.

For example, in 2015, the staff actively engaged on more than 30 bills, but the Board only took positions on seven (and some official Board positions were "neutral" or "no position").

### Why?

**Simple timing:** Often, especially in the case of very substantial legislation, the legislation itself is not put forward until the very end of the session; too late to bring before the Board for a position. CalPERS will have been involved in the discussions over the whole year, keeping the Board apprised of the issues and developments.

In addition, bills are often gutted and amended at the end of session; some bills we had tracked were amended so that they are no longer relevant to CalPERS. Similarly, bills that had not been on our radar are often amended to significantly impact CalPERS as a state agency or any of the programs we administer. In some instances, there are bills that do not fit our general guidelines, but a Board Member requests information and possible action.

Lastly, many proposals are introduced that are never heard, or do not get out of their first committee hearing. LAD generally will not recommend Board action on bills that are not likely to be viable.

The Board often adopts "neutral if amended," "support if amended," or "oppose unless amended" positions, or indeed, "neutral" or "no position" positions. The choice of these positions, which are not as alike as they may seem, will be driven by any number of factors.

**Political Environment:** Occasionally, a legislator will contact CalPERS to ask that it support a bill, and sometimes the bills are only tangentially relevant to the enterprise. More often, a leadership member, or the chair of a key committee, will author legislation that has or may have a negative impact on CalPERS. CalPERS generally works with the author to remove any potential conflict or impact, or to protect the Board's fiduciary responsibility. Staff may not present these bills to the Board for a position if the overarching goals of the bill are consistent with CalPERS' goals.

### Enacted & Defeated Legislative Bills



Legislative Board Position Success Rate



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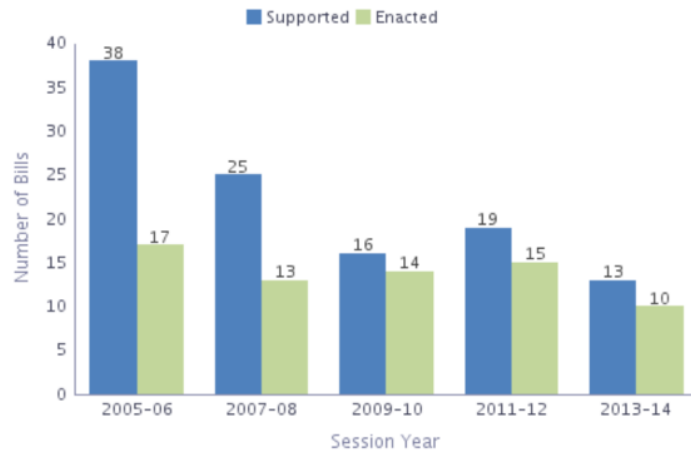
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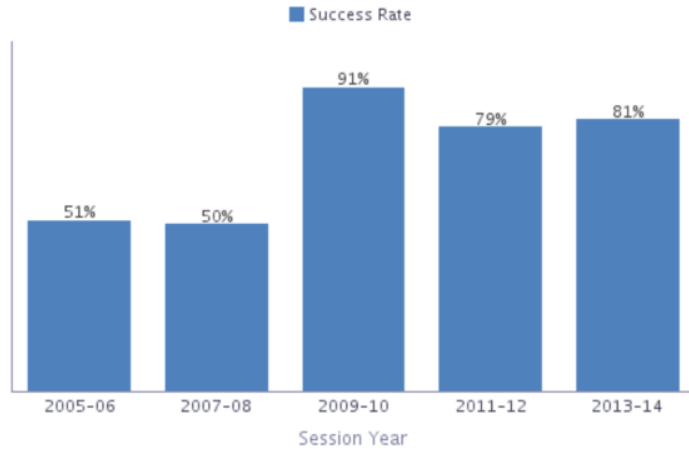
**CalPERS' Role:** CalPERS generally does not take positions on legislation that adds, removes or substantially changes the benefits of its members, with the understanding that it is the employers' role to negotiate, create, offer, and otherwise change benefit programs, while it is CalPERS' role to administer those benefits. We have participated in the discussion of these proposals by providing the best possible information as to the current status, and the impact the proposed changes will have, especially with regard to the costs.

Data Frequency
Targets
Interpretation of Results
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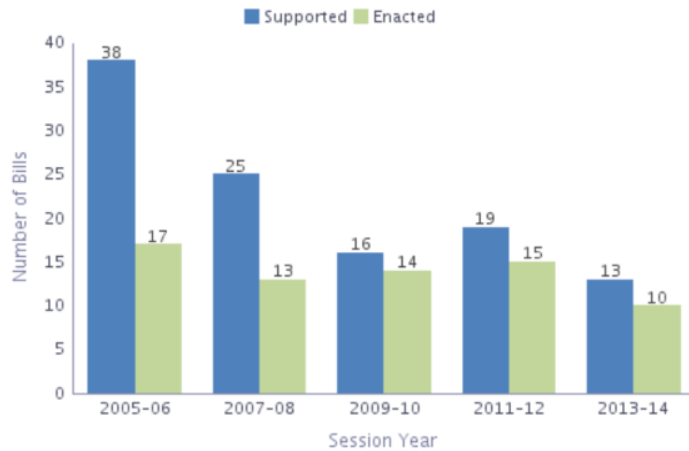
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#### Glossary

#### Details & Analysis

##### Where We Are

##### Data Frequency

Biennially, to correspond with the two-year Legislative Sessions.

##### Targets

Generally speaking, we always strive for 100%, especially on bills that are deemed to be harmful to our members, programs and stakeholders.

##### Interpretation of Results

The data shows that in the past five two-year sessions, CalPERS has been very successful in halting legislation that the Board voted to oppose. In contrast, our success rate in enacting supported or sponsored legislation has ranged from a low of 50 percent to a high of 91 percent. Note: in the 2007-08 Session, then-Governor Schwarzenegger vetoed scores of bills due to overarching conflicts with the legislative leadership.

One conclusion is it is much easier to stop problematic legislation than it is to get desired legislation signed into law, mostly because of California's budget constraints.

##### References & Sources

- Legislative Summary 2013-14, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2013-14.pdf>
- Legislative Summary 2011-12, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2011-12.pdf>
- Legislative Summary 2009-10, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2009-10.pdf>
- Legislative Summary 2007-08, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2007-08.pdf>
- Legislative Summary 2005-06, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2005-06.pdf>

Glossary

[Close](#)

**Agency Bill**

The Government Operations Agency (or CalGovOps) often asks LAD to analyze legislation related to pensions, such as 1937 Act County systems, which LAD was not otherwise planning to analyze. This would be listed as an Agency Bill in our tracking system.

**Division Legislative Representative**

Individual(s) within each of the CalPERS programs that are responsible for communications between Division and LAD about legislation.

**Gut and Amend**

The process of removing the entire contents of a bill, and replacing the language with a whole new piece of legislation, sometimes in a very different subject area.

**Information Bill**

Legislation of general interest to programs administered by CalPERS.

**Master Bill**

Directly impacts CalPERS and may be presented for a Board-approved position.

**Office of Primary Responsibility**

CalPERS division that is most impacted by proposed legislation.

**Pending Bill**

Often a spot bill that may be amended to impact CalPERS programs.

**Sponsored Bill**

Legislation CalPERS has initiated, usually to update or correct statutes governing its programs.

**Spot Bill**

Legislation introduced to meet the deadline, generally states intent to take action, or changes a word, initially. Spot bills are introduced to give the author and sponsors time to work to develop their legislation.

**Watch Bill**

Does not directly impact CalPERS, but may affect a related issue or program.

[Close](#)

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- Legislative Summary 2005-06, <https://www.calpers.ca.gov/docs/forms-publications/legislative-summary-2005-06.pdf>