
January 16, 2018

Item Name: Proposed Board of Administration Election Regulatory Changes

Program: Board of Administration Elections

Item Type: Action

Recommendation

Approve the proposed regulatory changes listed in Attachment 1. The regulatory changes are expected to take effect by August 1, 2018 for the 2018 State, School, and Public Agency Member elections.

Executive Summary

The proposed regulation would require voters to sign the perjury statement on the reverse side of the return envelope instead of the ballot certifying under penalty of perjury that they are eligible to vote in the election. These proposed changes would require staff to initiate the rulemaking process with the Office of Administrative Law (OAL).

Strategic Plan

The Agenda Item supports the CalPERS 2017-22 Strategic Plan, which is to strengthen the long-term stability of the pension fund. The proposed changes to the Board election process are intended to decrease the number of invalid votes, and increase voter confidence and participation in the CalPERS Board Elections.

Background

CalPERS elections regulations require that voters sign under penalty of perjury that the voter is eligible to vote in the election; otherwise the ballot will not be counted. Prior to the 2017 Member-at-Large election, CalPERS amended the election regulations to move the placement of the voter's signature and perjury statement from the return envelope to the ballot. This change was made primarily to reduce costs associated with ballot receipt and validation.

During the 2017 Member-at-Large election, CalPERS received feedback from stakeholders about the placement of the voter's signature and perjury statement on the voting materials. There were also a higher number of votes invalidated due to lack of a voter's signature.

Analysis

Requiring the voter to sign the perjury statement on the return envelope, instead of the ballot, is intended to decrease the number of invalid votes and increase voter confidence and participation in the CalPERS Board Elections. Once approved, the regulations will be submitted to OAL to initiate the 45-day comment period.

Budget and Fiscal Impacts

This regulatory change will result in a cost increase to the 2018 State, School, and Public Agency election of approximately \$66,000.

Benefits and Risks

Benefits

- Decrease the number of invalid votes.
- Increase voter confidence.
- Increase voter participation.

Risks

- None identified.

Attachments

Attachment 1 – Text of Proposed Regulatory Action

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