

ALASKA STATE LEGISLATURE
SENATE RULES COMMITTEE
April 26, 2002
10:47 a.m.

MEMBERS PRESENT

Senator Randy Phillips, Chair
Senator John Cowdery, Vice Chair
Senator Rick Halford
Senator Gene Therriault
Senator Johnny Ellis

MEMBERS ABSENT

All members present

COMMITTEE CALENDAR

SENATE BILL NO. 238

"An Act relating to state plans and programs for the safety and security of facilities and systems in the state; and providing for an effective date."

APPROVED CSSB 238(RLS) FOR CALENDARING

SENATE JOINT RESOLUTION NO. 44

Relating to preparation of a joint state-federal research and development plan.

APPROVED FOR CALENDARING

CS FOR SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 254(FIN)

"An Act relating to the teachers' retirement system, the judicial retirement system, and the public employees' retirement system and to the tax qualification under the Internal Revenue Code of those systems; amending the definition of 'actuarial adjustment' in the teachers' retirement system and the public employees' retirement system; repealing certain provisions of the teachers' retirement system and the public employees' retirement system; amending the statutory limitation on payment of warrants to make an exception for warrants making benefit payments or refunds under various state retirement and benefit programs; and providing for an effective date."

HEARD AND HELD

PREVIOUS COMMITTEE ACTION

SB 238 - See State Affairs minutes dated 1/24/02, 1/31/02 and

2/12/02 and Transportation minutes dated 4/16/02.

SJR 44 - See Labor and Commerce minutes dated 4/15/02 and Finance Report dated 4/24/02.

HB 254 - See State Affairs minutes dated 4/11/02 and 4/16/02.

WITNESS REGISTER

Ms. Terry Bannister
Legislative Affairs Agency
Legislative Legal and Research
Services
State Capitol
Juneau, AK 99801-1182

Ms. Carol Carroll
Department of Military &
Veterans Affairs
PO Box 5800
Ft Richardson, AK 99505-0800

ACTION NARRATIVE

TAPE 02-10, SIDE A
Number 001

CHAIRMAN RANDY PHILLIPS called the Senate Rules Committee meeting to order at 10:47 a.m. Senators Halford, Therriault and Phillips were present. Senators Cowdery and Ellis arrived momentarily. The first order of business to come before the committee was SB 238.

#SB 238

CHAIRMAN PHILLIPS informed members that **SB 238-PUBLIC RECORDS: STATE SECURITY & SAFETY** was requested by the Governor. It will require a title change so Ms. Bannister and Ms. Carroll were present to explain a proposed amendment to do so.

SENATOR HALFORD moved to adopt the suggested title amendment to SB 238.

MS. TERRY BANNISTER, legal counsel, Legislative Affairs Agency, told members the current title of the bill could be misleading as it only describes some of the documents that would be exempted. She is concerned that it might appear the exemption is limited to those documents named in the title so the amendment adds the remaining documents that should be exempted. In an effort to be as accurate as possible, she also asked to change the word "safety"

use throughout the bill to "security."

CHAIRMAN PHILLIPS asked if the Department of Military and Veterans Affairs (DMVA) has taken a position on the proposed amendment.

MS. CAROL CARROLL, Department of Military and Veterans Affairs, told members that the first part deletes the reference to "systems facilities and infrastructure" and places it in the exemption. She said DMVA has no objection to that change.

CHAIRMAN PHILLIPS asked if there was further discussion or objection to the amendment.

SENATOR THERRIAULT informed members that Ms. Carroll asked that the committee drop one section of the bill. He questioned whether the new title will still apply if that section is dropped.

MS. BANNISTER said, "We would have to interpose - we could adjust that when you send us the bill if you do something. That will remove that whole exempting part and we would have to take out the page 1, lines 1-2, the reference to 'and procedures and to systems facilities and infrastructure in the state.'" She asked to have the opportunity to look it over if the committee makes that change.

SENATOR HALFORD withdrew his motion to adopt the proposed title amendment.

MS. CAROL CARROLL said she is requesting that Section 2 be deleted because some people are uncomfortable with it. The need for Section 2 is not immediate, while the need for Section 1 is. DMV proposes to work more extensively and bring the content of Section 2 before the legislature next year when all concerns have been addressed. She pointed out that Section 1 pertains to the public records exemption and would allow the state, if the document contained security plans, to determine if its release could be harmful to the public or circumvent the law in any way.

SENATOR THERRIAULT moved to delete Section 2 and amend the title accordingly.

CHAIRMAN PHILLIPS asked Ms. Carroll if by "some people" she meant legislators.

MS. CARROLL said the other body has deleted Section 2 from the bill and that several questions were raised about it in one of the committee hearings.

SENATOR THERRIAULT repeated the motion.

MS. BANNISTER asked that the motion allow her to adjust the title as needed.

SENATOR THERRIAULT stated that he would expect the legal drafter to make whatever additional title changes are necessary to clarify the content of the bill.

CHAIRMAN PHILLIPS announced that with no objection, the motion carried.

SENATOR HALFORD moved to calendar CSSB 238(RLS).

CHAIRMAN PHILLIPS announced that with no objection, the motion carried.

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#SJR 44

SENATOR COWDERY moved to calendar SJR 44-STATE-FEDERAL JOINT RESEARCH PLAN at the Chairman's discretion with its zero fiscal note.

CHAIRMAN PHILLIPS announced that with no objection, the motion carried.

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#HB 254

SENATOR HALFORD informed members that he is still working on an amendment to HB 254-STATE RETIREMENT SYSTEMS/WARRANTS and asked that it be held in committee.

SENATOR ELLIS concurred that the bill needs more work that should not require much time.

CHAIRMAN PHILLIPS noted that with no objection, HB 254 would be held in committee. He then adjourned the meeting at 10:58 a.m.