

LAWMAKERS DISPLEASED WITH RETIREMENT TAP

By Shawn Ashley
Staff Writer

■(GIT) A plan to use funds from the state's judicial retirement fund for one-time improvement projects has drawn the wrath of several lawmakers.

SB805, Rep. Wayne Pettigrew, R-Edmond, said Friday "is a recreation of Frankenstein's monster. It could do to the State Judicial Retirement Fund what the legislature did to the Oklahoma Teachers Retirement System."

At issue is a plan to use money from the retirement fund for a statewide court automation program and a Supreme Court security project. The bill passed both the House and Senate on Thursday and is headed to the governor's desk for his consideration.

The judicial pension system provides retirement coverage for some 412 active and retired judges and their beneficiaries, records indicate, and the fund has reserves to meet 117 percent of its long-term obligations.

It is the only one of the state's six retirement systems whose actuarial soundness exceeds 100 percent, Pettigrew said.

Pettigrew and others claim the bill violates the state constitution, specifically the State Question 645 provision that requires "all proceeds, assets and income" of state retirement systems "to be held, invested or disbursed" only "to provide benefits, re-

funds, investment management and administrative expenses."

The system is underwritten with 10 percent of all receipts from court clerk offices across the state, coupled with retirement contributions from the participating judges. SB805 calls for those funds to be deposited

in the Supreme Court Revolving Fund for implementation of the computer system and security enhancements once the system is fully funded for the coming year.

Last year's surplus funding, according to state courts director Howard Conyers, exceeded \$1.2 million.

If one retirement system is overfunded, Pettigrew said, "the only place the excess funds would go to is to help other retirement

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"It's not a unique thing to say we're violating the constitution. We've done it time and time and time again whenever this body decided it wanted to help certain people."

Rep. Howard Cotner

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"We are concerned if the state can legislate away a county's liability," said OSA Executive Director John Walsh.

Rozell blasted Walsh Thursday from the Senate floor, accusing him of disseminating false information.

"I don't know where Mr. Walsh got his problems [with this bill]," Rozell said, further claiming he never received information he requested from Walsh.

"There may be a difference of interpretation," Walsh told *Capitol Network News*, "but I have had several attorneys knowledgeable in law enforcement look at that document and there is no misinformation in it."

In a letter sent to Rozell in November of 1995, one Rozell claims he never received, Walsh said, though his association has problems with specific points of the bill (then **SB671**), community corrections is a concept he supports.

"The difficulties we find..., although numerous, should not be construed as our being opposed to the concept," he said in the letter, which urges Rozell to adopt an earlier version of the bill originally proposed by the Truth in Sentencing Policy Advisory Com-



Sen. Herb Rozell

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Governor Frank Keating was also busy this week, signing a number of important pieces of legislation. Among those signed by the governor were **HB1621**, giving private employer retirees a \$5,500 tax exemption phased in over five years; **HB2055**, the permanent midterm funding solution and **HB2824** which provides midterm funding and taps the Rainy Day Fund; **HBs 1434** and **2830**, creating and funding the so-called Rural Economic Action Plan; and **SB680**, banning bear wrestling, horse tripping and increasing the fines for certain kinds of assault and battery.

The governor has yet to veto any major bills. Keating has five days to sign or veto legislation sent to him by the legislature or the proposal automatically becomes law. The governor will have 15 days after the end of session to sign bills presented to him or they will be considered automatically vetoed.

After taking a holiday on Monday, only four legislative days remain in the session.

mission.

"It is sad that this has to become a personal attack instead of just dealing with the issue," Walsh said.

Sen. J.R. "Dick" Wilkerson, D-Atwood, supporter of the Rozell bill, also said misinformation had been distributed about the measure.

"I have never seen so much disinformation on a bill," he said. "It [the bill] gives us more tools to work with."

Wilkerson added that 57 percent of Oklahoma's prisoners are non-violent offenders.

After passing the House on Wednesday, the bill's House author, Rep. Jari Askins, D-Duncan, was seen throughout the day approaching fellow House members, role call card in hand, presumably attempting to drum up support for the bill.

The bill is scheduled to appear on the House floor for consideration next week. The measure will have to be addressed quickly, before the Legislature adjourns on Friday.

"There is no indispensable man in a democracy. When a republic comes to a point where a man is indispensable, then we have a Caesar."

Harry S. Truman
1946

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