
Senate Bill 384—PERS

REMARKS BY SENATOR JULIA RATTI

ASSEMBLY COMMITTEE ON HEALTH AND HUMAN SERVICES

MAY 3, 2017

- Thank you, Mister Chair. For the record, I am Julia Ratti, representing Senate District No. 13 in Washoe County. I am here to present Senate Bill 384 for your consideration.
- I am pleased to be sitting here today with Ms. Lockard, who represents the Retired Public Employees of Nevada (RPEN). Her organization came to me as I was aspiring to this office and discussed their concerns about the confidentiality of information for retirees who are in the Public Employees' Retirement System (PERS). You may recall that my predecessor, Senator Debbie Smith, brought forward a bill in the last Session to try to address this issue.
- I personally believe in the role of the Fourth Estate and the media's access to information. For that reason, I had some concerns about having absolute confidentiality. It is important that our media organizations have the ability to do the investigative journalism that helps keep those of us in government honest and on our toes.
- At the same time, I think the concerns of retired public employees regarding identity theft is compelling. For that reason, I am working to have balance between media public access and protecting identifying information for our retired public employees. We want to make sure they do not live in fear of identity theft.

- A ruling by District Judge James Russell issued on May 1, 2014, changed the long-held policy interpretation of public records. The order states that:

“PERS has an obligation to provide the entirety of the pension information. Any such production, however, shall not include social security numbers, bank account information or contact information such as addresses, telephone numbers and email addresses for any recipient of PERS benefits. PERS shall not redact or withhold any of the pension information for any recipient of PERS benefits, with the exceptions that PERS may redact the information on minor children and the names of recipients who are currently serving or served in sensitive law enforcement positions.”

- However, some of the additional information that cannot be withheld under that interpretation include date of birth; beneficiary information; gender; passport number; address of ex-spouses, including those in law enforcement; birth certificate; and marital status. That is a very long list of identifying information. We feel this additional information provides no public purpose and could put this vulnerable and elderly population at risk for identity theft and potential harm if we do not clarify the law.
- Senate Bill 384 will clarify the public records law to ensure that identifying personal information or intensely personal collateral information, such as the names of beneficiaries who were never public employees, will remain confidential. We believe keeping this information confidential will lessen the risk of identity theft and people preying on the elderly. Also, clarifying the language in the law will provide guidance to the courts and reduce litigation.
- Again, I want to ensure that we are held accountable, that information is accessible for the media and public. But also protect retired public employees’ information in PERS. This bill tries to strike a balance so we can preserve both ideals at the same time, have public disclosure and protection from identify theft.