

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB1365

Hearing Date: Thursday February 15, 2024
Committee On: Nebraska Retirement Systems
Introducer: McDonnell
One Liner: Change provisions relating to retirement, the Public Employees Retirement Board, the Nebraska Public Employees Retirement Systems, and the State Personnel System

Roll Call Vote - Final Committee Action:

Advanced to General File

Vote Results:

Aye:	5	Senators Clements, Hardin, Ibach, McDonnell, Vargas
Nay:	1	Senator Conrad
Absent:		
Present Not Voting:		

Testimony:

Proponents:

Senator Mike McDonnell
John Murante

Representing:

Opening Presenter
NPERS

Opponents:

Cheryl Wolfe

Representing:

Self

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 1365 proposes three changes requested by the Nebraska Public Employees Retirement System (NPERS). The first change removes the age restrictions on who may participate in the preretirement planning program within the OSERS (OPS) plan. Current statute requires that the member be 50 years of age or older or are within five years of qualifying for retirement.

The second proposal seeks to remove the Deputies and Assistant Directors in NPERS from being subject to the State Personnel System. This exception to the Personnel System is added to 27 other exceptions in section 81-1316.

The third proposed change is to add an ex officio member to the Public Employees Retirement Board (PERB) from the OSERS(OPS) retirement system. Current statute provides for an OSERS member on the Board after the changeover on Sept. 1, 2024, where OSERS will be administered by the NPERS system. The proposal would allow for an ex officio member from OSERS prior to the changeover.

Section by Section:



Section 1 Amends section 79-9,117 regarding the preretirement planning program for Class V school districts (Omaha Public Schools) by removing an age restriction (at least 50 years of age or within 5 years of retirement) to participate in the program.

Note: The age requirement for other NPERS programs was removed in 2022 by LB 700. Beginning September 2024, the planning program for a Class V school program (OSERS) will be provided by NPERS.

Section 2 Amends section 81-1316 that provides state personnel are subject to the State Personnel System but provides exceptions for 27 offices, agencies or other entities. LB 1365 would add NPERS Deputies or Assistant Directors to the list of exceptions.

Section 3 Amends section 84-1501, which addresses the membership of the Public Employees Retirement Board (PERB). LB 1365 would amend the membership list to include an ex officio member from a Class V School Retirement plan (OSERS) until September 1, 2024 (when NPERS takes over administration of the plan). Current statute provides that OSERS has a full member after the changeover in September 2024.

Section 4 Amends section 84-1503.03 which provides that NPERS employees are covered by the State Personnel System by amending the section with a new subsection (2) to exempt Deputies and Assistant Directors, harmonizing it with Section 2 of LB 1365.

Section 5 Repeals original sections.

Section 6 Emergency clause.

Mike McDonnell, Chairperson

