

AMENDMENTS TO LB 75

(Amendments to Final Reading copy)

1 1. Strike the original sections and insert the following
2 new sections:

3 "Section 1. Section 50-401.01, Reissue Revised Statutes
4 of Nebraska, is amended to read:

5 50-401.01. (1) The Legislative Council shall have an
6 executive board, to be known as the Executive Board of the
7 Legislative Council, which shall consist of a chairperson, a
8 vice-chairperson, and six members of the Legislature, to be chosen
9 by the Legislature at the commencement of each regular session of
10 the Legislature when the speaker is chosen, and the Speaker of the
11 Legislature. The Legislature at large shall elect two of its
12 members from legislative districts Nos. 1, 2, 15, 16, 21, 23 to 30,
13 32, 34, 35, and 46, two from legislative districts Nos. 3 to 14,
14 20, 31, 39, and 45, and two from legislative districts Nos. 17 to
15 19, 22, 33, 36 to 38, 40 to 44, and 47 to 49. The Chairperson of
16 the Committee on Appropriations shall serve as a nonvoting ex
17 officio member of the executive board whenever the board is
18 considering fiscal administration.

19 (2) The executive board shall:

20 (a) Supervise all services and service personnel of the
21 Legislature and may employ and fix compensation and other terms of
22 employment for such personnel as may be needed to carry out the
23 intent and activities of the Legislature or of the board, unless

1 otherwise directed by the Legislature, including the adoption of
2 policies by the executive board which permit (i) the purchasing of
3 an annuity for an employee who retires or (ii) the crediting of
4 amounts to an employee's deferred compensation account under
5 section 84-1504. The payments to or on behalf of an employee may
6 be staggered to comply with other law; and

7 (b) Appoint persons to fill the positions of Legislative
8 Fiscal Analyst, Director of Research, and Revisor of Statutes. The
9 persons appointed to these positions shall have training and
10 experience as determined by the executive board and shall serve at
11 the pleasure of the executive board. Their respective salaries
12 shall be set by the executive board.

13 (3) Notwithstanding any other provision of law, the
14 executive board may contract to obtain legal, auditing, accounting,
15 actuarial, or other professional services or advice for or on
16 behalf of the executive board, the Legislative Council, the
17 Legislature, or any member of the Legislature. The providers of
18 such services or advice shall meet or exceed the minimum
19 professional standards or requirements established or specified by
20 their respective professional organizations or licensing entities
21 or by federal law. Such contracts, the deliberations of the
22 executive board with respect to such contracts, and the work
23 product resulting from such contracts shall not be subject to
24 review or approval by any other entity of state government.

25 (4) By October 31, 2001, the Nebraska Retirement Systems
26 Committee of the Legislature shall submit to the Executive Board of
27 the Legislative Council a report on the design of a separate

1 retirement system for employees of the Legislature as it is the
2 intent of the Legislature to create a supplemental retirement plan
3 for legislative employees. The elements of the plan shall include,
4 but not be limited to, a decreased vesting schedule, an eighty-five
5 percent income replacement ratio, and increased employee and
6 employer contributions. The report shall include a recommended
7 plan document that describes the various elements of the retirement
8 system, a draft of proposed legislation to establish the plan, and
9 an estimate of the cost of the plan. On or after December 15,
10 2001, and after receiving approval from the Executive Board of the
11 Legislative Council, the Nebraska Retirement Systems Committee
12 shall cause the retirement plan to be reviewed by an actuary who is
13 a member of the American Academy of Actuaries who shall make an
14 actuarial study based on the employees who could elect to become
15 members of the retirement plan.

16 Sec. 2. Section 84-1504, Reissue Revised Statutes of
17 Nebraska, is amended to read:

18 84-1504. (1) The Public Employees Retirement Board, on
19 behalf of the state, may contract with any individual to defer a
20 portion of such individual's compensation or with the Legislative
21 Council to defer any other amount that the Legislative Council
22 agrees to credit to an individual's account pursuant to section 457
23 of the Internal Revenue Code.

24 (2) The compensation to be deferred at the election of
25 the individual and any other amount credited on behalf of such
26 individual by the Legislative Council shall not exceed the total
27 compensation to be received by the individual from the employer or

1 exceed the limits established by the Internal Revenue Code for such
2 a plan.

3 (3) The deferred compensation program shall serve in
4 addition to but not be a part of any existing retirement or pension
5 system provided for state or county employees or any other benefit
6 program.

7 (4) Any compensation deferred at the election of the
8 individual under such a deferred compensation plan shall continue
9 to be included as regular compensation for the purpose of computing
10 the retirement, pension, or social security contributions made or
11 benefits earned by any employee.

12 (5) Any sum so deferred shall not be included in the
13 computation of any federal or state taxes withheld on behalf of any
14 such individual.

15 (6) The state, the board, the state investment officer,
16 the agency, or the county shall not be responsible for any
17 investment results entered into by the individual in the deferred
18 compensation agreement.

19 (7) Nothing in this section shall in any way limit,
20 restrict, alter, amend, invalidate, or nullify any deferred
21 compensation plan previously instituted by any instrumentality or
22 agency of the State of Nebraska, and any such plan is hereby
23 authorized and approved.

24 (8) For purposes of this section, individual means (a)
25 any state employee, whether employed on a permanent or temporary
26 basis, full-time or part-time, (b) a person under contract
27 providing services to the state who is not employed by the

1 University of Nebraska or any of the state colleges or community
2 colleges and who has entered into a contract with the state to have
3 compensation deferred prior to August 28, 1999, and (c) any county
4 employee designated as a permanent part-time or full-time employee
5 or elected official whose employer does not offer a deferred
6 compensation plan and who has entered into an agreement pursuant to
7 section 48-1401.

8 Sec. 3. There is hereby appropriated \$400,000 from the
9 General Fund for FY2001-02 to the Legislative Council, to purchase
10 annuities for employees of the Legislature as provided in
11 subdivision (2)(a)(i) of section 50-401.01.

12 Sec. 4. Original sections 50-401.01 and 84-1504, Reissue
13 Revised Statutes of Nebraska, are repealed.

14 Sec. 5. Since an emergency exists, this act takes effect
15 when passed and approved according to law."

16 2. On page 1, strike beginning with "retirement" in line
17 1 through line 3 and insert "the Legislature; to amend sections
18 50-401.01 and 84-1504, Reissue Revised Statutes of Nebraska; to
19 change and provide provisions relating to retirement and deferred
20 compensation; to appropriate funds; to repeal the original
21 sections; and to declare an emergency."