

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 365

Introduced by Pankonin, 2.

Read first time January 16, 2009

Committee: Nebraska Retirement Systems

A BILL

1 FOR AN ACT relating to the Judges Retirement Act; to amend section
2 24-710, Reissue Revised Statutes of Nebraska; to change
3 retirement annuity provisions; and to repeal the original
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 24-710, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 24-710 (1) The retirement annuity of a judge who is
4 an original member, who has not made the election provided for
5 in subsection (8) of section 24-703 or section 24-710.01, and
6 who retires under section 24-708 or 24-709 shall be computed as
7 follows: Each such judge shall be entitled to receive an annuity,
8 each monthly payment of which shall be in an amount equal to three
9 and one-third percent of his or her final average compensation
10 as such judge, multiplied by the number of his or her years of
11 creditable service. The amount stated in this section shall be
12 supplemental to any benefits received by such judge under the
13 Nebraska and federal old age and survivors' insurance acts at the
14 date of retirement, but the monthly combined benefits received
15 thereunder and by the Judges Retirement Act shall not exceed
16 sixty-five percent of the final average compensation such judge was
17 receiving when he or she last served as such judge. The amount of
18 retirement annuity of a judge who retires under section 24-708 or
19 24-709 shall not be less than twenty-five dollars per month if he
20 or she has four years or more of service credit.

21 ~~(2)~~ (2)(a) The retirement annuity of a judge who is
22 a future member and who retires after July 1, 1986, and before
23 July 1, 2010, under section 24-708 or 24-709 shall be computed as
24 follows: Each such judge shall be entitled to receive an annuity,
25 each monthly payment of which shall be in an amount equal to

1 three and one-half percent of his or her final average compensation
2 as such judge, multiplied by the number of his or her years of
3 creditable service, except that the monthly benefits received under
4 this subsection shall not exceed seventy percent of the final
5 average compensation such judge was receiving when he or she last
6 served as such judge.

7 (b) The retirement annuity of a judge who is a future
8 member and who retires on or after July 1, 2010, under section
9 24-708 or 24-709 shall be computed as follows: Each such judge
10 shall be entitled to receive an annuity, each monthly payment of
11 which shall be in an amount equal to three and three-quarters
12 percent of his or her final average compensation as such judge,
13 multiplied by the first ten years of his or her creditable
14 service; three and one-quarter percent of his or her final
15 average compensation as such judge, multiplied by the next ten
16 years of his or her creditable service; and one percent of
17 his or her final average compensation as such judge, multiplied
18 by the next five years of his or her creditable service. The
19 monthly benefits received under this subsection shall not exceed
20 seventy-five percent of the final average compensation such judge
21 was receiving when he or she last served as such judge.

22 (3) Except as provided in section 42-1107, any member
23 may, when filing an application as provided by the retirement
24 system, elect to receive, in lieu of the normal form annuity
25 benefits to which the member or his or her beneficiary may

1 otherwise be entitled under the Judges Retirement Act, any form
2 of annuity which the board may by rules and regulations provide,
3 the value of which, determined by accepted actuarial methods and
4 on the basis of actuarial assumptions recommended by the actuary,
5 approved by the board, and kept on file in the office of the
6 director, is equal to the value of the benefit replaced. The board
7 shall (a) adopt and promulgate appropriate rules and regulations
8 establishing joint and survivorship annuities, with and without
9 reduction on the death of the first annuitant, and such other
10 forms of annuities as may in its judgment be appropriate and
11 establishing benefits as provided in sections 24-707 and 24-707.01,
12 (b) prescribe appropriate forms for making the election by the
13 members, and (c) provide for the necessary actuarial services to
14 make the required valuations.

15 (4) A one-time cost-of-living adjustment shall be made
16 for each retired judge and each surviving beneficiary who is
17 receiving a retirement annuity as provided for in this section. The
18 annuity shall be adjusted by the increase in the cost of living
19 or wage levels between the effective date of retirement and June
20 30, 1992, except that such increases shall not exceed three percent
21 per year of retirement and the total increase shall not exceed two
22 hundred fifty dollars per month.

23 Sec. 2. Original section 24-710, Reissue Revised Statutes
24 of Nebraska, is repealed.