

1167.

PRESIDENT: LB 1167 advances. LB 903.

CLERK: LB 903, Mr. President, introduced by Senator Hall. (Read title.) The bill was introduced on January 3, referred to Retirement, advanced to General File. I have no amendments to the bill.

PRESIDENT: Senator Hall, please.

SENATOR HALL: Thank you, Mr. President, members. This is a bill that comes out of a story that a constituent told me. She was a...the spouse of an individual who was an employee of...happened to be the Ralston Public School system, could happen in any school system. This individual, the gentleman, was a janitor, he was a maintenance person in the system. He had reached the retirement age of 65, was eligible to retire, and that happened between the Christmas break and the start of the second semester, the spring semester, chose not to retire because the school district had actually asked him would he not retire at the age of 65, because they would then have to find another maintenance person for the last half of the school year. He said, fine. The problem was the individual died, and he died before the end of the semester. He was not eligible to retire because he had...he had not retired, because they had asked him not to, even though he was eligible. What happened was the spouse was denied the widow benefits because her husband had not actually retired. And the way the school retirement statutes read, this woman, even though her husband was eligible but chose not to retire, because he had virtually been asked not to, was not eligible for surviving spouse retirement benefits. We can't help her, but LB 903 would keep this tragedy from happening any time in the future. And that's all the provision does, it allows for a surviving spouse of an individual who was eligible for retirement benefits, but yet had not retired, was still active, who passed away, to receive those benefits. I would urge advancement of the bill.

PRESIDENT: Any further discussion? If not, the question is the advancement of the bill. All those in favor vote aye, opposed nay. Senator Hall.

SENATOR HALL: If Senator Pirsch and Senator Byars would so...