

**ONE HUNDRED FIFTH LEGISLATURE - FIRST SESSION - 2017**  
**COMMITTEE STATEMENT**  
**LB278**

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**Hearing Date:** Friday February 03, 2017  
**Committee On:** Nebraska Retirement Systems  
**Introducer:** Kolterman  
**One Liner:** Redefine disability and change disability retirement application and medical examination provisions for various retirement acts

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File with amendment(s)

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**Vote Results:**  
**Aye:** 6 Senators Bolz, Groene, Kolowski, Kolterman, Lindstrom, Stinner  
**Nay:**  
**Absent:**  
**Present Not Voting:**

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**Verbal Testimony:**

**Proponents:**  
SENATOR MARK KOLTERMAN  
ORRON HILL

**Representing:**  
INTRODUCER  
PUBLIC EMPLOYEES RETIREMENT BOARD AND  
NEBRASKA PUBLIC EMPLOYEES RETIREMENT  
SYSTEMS

**Opponents:**

**Representing:**

**Neutral:**

**Representing:**

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**Summary of purpose and/or changes:**

As Introduced

The definition of disability in the County, State and School Employees Retirement Acts clarifies that disability is the inability to engage in any substantially gainful activity. It also clarifies a disability is expected to be of a long-continued duration or will result in death. The disability must be initially diagnosed or become disabling while the member is an active participant in the plan.

It adds a provision to the County and State plans, similar to the School plan, that the medical examination may be waived if the Public Employees Retirement Board determines that extraordinary circumstances exist including hospice placement or similar placement for a terminal illness or injury. In the School plan it deletes the five-year window for school plan member to file for a work-related disability. All disability applications must be filed within one year of termination of employment.

As amended by White Copy AM 451

AM 451 becomes the bill and adds to the original sections, additional changes that delete redundant disability provisions in the County, State and School Employees Retirement Acts.

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**Explanation of amendments:**

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Mark Kolterman, Chairperson