

LEGISLATIVE BILL 1176

Approved by the Governor March 29, 1972

Introduced by C. W. Holmquist, 16th District

AN ACT to amend sections 85-106 and 85-191, Revised Statutes Supplement, 1969, relating to the University of Nebraska; to provide for equalization and uniformity of benefits within the University of Nebraska for all present and future employees; to repeal the original sections; and to declare an emergency.

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

Section 1. That section 85-106, Revised Statutes Supplement, 1969, be amended to read as follows:

85-106. The Board of Regents shall have power (1) to enact laws for the government of the university; (2) to elect a chancellor, deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally of the university, and to provide for academic tenure for professors, associate professors, and assistant professors; (3) to prescribe the duties of such persons; (4) to fix their compensation; (5) to provide, in its discretion, retirement benefits for present and future employees of the university, subject to the following: (a) The cost of such retirement benefits shall be funded in accordance with sound actuarial principles with the necessary contributions for both past service and future service being treated in the university budget in the same way as any other operating expense, (b) the maximum university contribution under any such retirement plan shall not exceed the sum of (i) six per cent of each university employee's salary or wage earnings for any calendar year before any agreement for reduction of salary or wage earnings, and (ii) pursuant to an agreement for reduction of salary or wage earnings, the amount of the reduction of salary or wage earnings, (c) each employee's contribution shall at least equal the university's contribution to any such retirement fund; ~~but shall not exceed six per cent of each university employee's salary or wage earnings for any calendar year and shall be calculated before any agreement for any reduction of salary or wage earnings; Provided,~~ that in lieu of making such contribution, each such employee may enter into an agreement for reduction of salary or wages in an amount equal to such employee's contribution for the purchase by the Board of Regents of an annuity

contract for such employee, under the provisions of the Technical Amendments Act of 1958 to the Internal Revenue Code, as amended, but the amount of the reduction of salary or wages allowable under this subdivision may not include credit for service prior to the effective date of this act, (d) the retirement benefits of any employee for service prior to the ~~effective--date--of--any--retirement plan established under the provisions of this section~~ September 1, 1961 shall be those provided under the retirement plan now then in force which benefits shall not be abridged; Provided, that such retirement benefits shall become fully vested in the event of an employee's termination of employment, if such an employee shall have at least ten years of service at the date of termination, ~~(e) any new employee hired by the University of Nebraska at Omaha after September 18, 1969 shall be limited to not in excess of six per cent of such employee's salary or wage earnings for any calendar year in his contribution pursuant to an agreement for reduction of salary or wages for the purchase by the Board of Regents of an annuity contract for such employee under the provisions of the Technical Amendments Act of 1958 to the Internal Revenue Code, as amended; and (f)~~ (e) the investment of retirement funds shall be pursuant to sections 72-1237 to 72-1259; (6) to equalize and provide for uniform benefits for all present and future employees, including group life insurance, group hospital-medical insurance, group long-term disability income insurance and retirement benefits; (6) (7) to provide, through the University Extension Division, for the holding of classes at various localities throughout the state avoiding unnecessary duplication of courses offered by other educational institutions in such localities; and (7) (8) to remove the chancellor, deans, professors, associate professors, assistant professors, instructors, other members of the faculty staff, and employees generally, when the interests of the university shall require it.

Sec. 2. That section 85-191, Revised Statutes Supplement, 1969, be amended to read as follows:

85-191. On or before March 15, 1968, the university board shall submit to the state board all recommendations for the employment of faculty, officers, employees, and other personnel to become effective on or after July 1, 1968. On or before April 15, 1968, the state board shall advise the university board of its approval or modification of such list. ~~;-Provided;-that all rights and privileges of existing faculty members shall be fully protected. All officers, employees, faculty, and other persons presently in the employ of the Municipal University of Omaha and who remain in the employ of the University of Nebraska at Omaha shall not~~

~~be subject or eligible to membership in the state board retirement system authorized and provided by section 85-106. The insurance and retirement plans authorized by sections 44-1324 to 44-1326, and in effect on October 23, 1967, shall be maintained by the state board for present and future employees of the University of Nebraska at Omaha; Provided, any new officer, employee, faculty or other person hired by the University of Nebraska at Omaha after August 28, 1969 shall be limited to not in excess of six per cent of such employee's salary or wage earnings for any calendar year in his contribution pursuant to an agreement for reduction of salary or wages for the purchase by the Board of Regents of an annuity contract for such employee under the provisions of the Technical Amendments Act of 1958 to the Internal Revenue Code, as amended. Investment of funds in such insurance and retirement plans shall be pursuant to sections 72-1237 to 72-1259.~~

Sec. 3. That original sections 85-106 and 85-191, Revised Statutes Supplement, 1969, are repealed.

Sec. 4. Since an emergency exists, this act shall be in full force and take effect, from and after its passage and approval, according to law.