

LEGISLATIVE BILL 445

Approved by the Governor May 21, 1973

Introduced by F. Lewis, 45

AN ACT to amend section 79-1522, Reissue Revised Statutes of Nebraska, 1943, relating to the school retirement system; to provide a cost-of-living increase in the service annuity; and to repeal the original section.

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

Section 1. That section 79-1522, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-1522. (1) Upon retirement under the provisions of sections 79-1520 and 79-1521, if he has five or more years of creditable service, a member or emeritus member shall receive a school retirement allowance which shall consist of the sum of: (a) A savings annuity which shall be the actuarial equivalent, as determined by the retirement board, of the member's accumulated contributions at the time of his retirement, or, in the case of an emeritus member, the savings annuity fixed by the retirement board at the time of his original retirement; and (b) a service annuity to be paid by the State of Nebraska. The amount of any individual service annuity for a full-time school employee or emeritus member shall be ~~one and one-half dollars per month for each year of service prior to July 1, 1968; except that the amount of any individual service annuity for a full-time school employee or emeritus member who retired on or before January 1, 1955; and not then eligible for social security benefits; shall be two dollars and twenty-five cents per month for each year of service. The amount of any individual service annuity for a full-time school employee shall be three dollars per month for each year of service thereafter; three dollars per month for each year of service commencing with his retirement on or after July 1, 1973. Each school employee or emeritus member who retired before July 1, 1973 and who is receiving a service annuity as of that date shall have such service annuity adjusted by the increase in the cost of living as determined by the difference between the Consumers Price Index for Urban Wage Earners and Clerical Workers from the date the service annuity commenced and July 1, 1973, except that such annuity shall not exceed three dollars monthly per year of service, based on the same number of years of~~

service that is currently being used to determine his service annuity. Such increased service annuity shall commence on July 1, 1973.

(2) Under such rules and regulations as the board may prescribe, an employee, upon becoming a member, may receive credit for not to exceed ten years of creditable teaching service rendered in public schools in another state if such member shall have paid into the school retirement system of the State of Nebraska an amount equal to the required deposits he would have paid had he been employed in this state, with such required deposits to be paid as the board may direct within three years after membership in the retirement system begins.

(3) A member who retires as a school employee of this state shall not receive credit for time in service outside of this state in excess of the time he has been in service as a school employee in this state. In order to receive such out of state credit such member must be employed as a school employee in this state at the time of his retirement.

(4) For a beneficiary who is employed as a public school substitute employee for more than ninety days in any school year the state service annuity shall be reduced by fifty per cent; Provided, a person receiving a retirement benefit may waive the payments and return to regular employment in a public school of this state if the beneficiary shall notify the retirement board in advance of the time and place of such employment. This notice shall be in writing upon forms prescribed by the retirement board. Any person collecting retirement payments without filing such notice shall be subject to a withholding of future retirement benefits equal to twice the amount collected after being regularly employed. The amount of individual service annuity for a part-time employee shall be determined on a proportional basis.

Sec. 2. That original section 79-1522, Reissue Revised Statutes of Nebraska, 1943, is repealed.