

## LEGISLATIVE BILL 475

Approved by the Governor May 7, 1971

Introduced by C. W. Holmquist, 16th District

AN ACT to amend section 79-901, Reissue Revised Statutes of Nebraska, 1943, relating to schools; to prevent a Class IV school district from establishing a retirement system for new employees supplemental to the School Employees Retirement System; and to repeal the original section.

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

Section 1. That section 79-901, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

79-901. The territory now or hereafter embraced within each incorporated primary city in the State of Nebraska, such adjacent territory as now or hereafter may be included therewith for school purposes, and such territory not adjacent thereto as may have been added thereto by law, shall constitute a school district of the fourth class and be known by the name of the School District of (name of city) in the county of (name of county) in the State of Nebraska. As such it shall be a body corporate and possess all the usual powers of a corporation for public purposes, and in that name and style may sue and be sued, purchase, hold, and sell such personal and real estate, and contract such obligations as are authorized by law including, but not limited to the power to adopt, administer and amend from time to time such retirement, annuity, insurance and other benefit plans for its present and future employees after their retirement, or any reasonable classification thereof, as may be deemed proper by the board of education; Provided, that the board of education shall not be authorized to establish a retirement system for new employees supplemental to the School Employees Retirement System. The title to all property, real or personal, owned by such district shall, upon the organization thereof, vest immediately in the district so created. The board of education shall have exclusive control of all property belonging to the district; Provided, that in the discretion of the board of education, funds accumulated in connection with a retirement plan may be transferred to and administered by a trustee or trustees to be selected by the board of education, or if the retirement plan shall be in the

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form of annuity or insurance contracts, such funds, or any part thereof, may be paid to a duly licensed insurance carrier or carriers selected by the board of education. Funds accumulated in connection with any such retirement plan, and any other funds of the school district which are not immediately required for current needs or expenses, may be invested and reinvested by the board of education, or by its authority, in securities of a type permissible either for the investment of funds of a domestic legal reserve life insurance company or for the investment of trust funds, according to the laws of the State of Nebraska.

Sec. 2. That original section 79-901, Reissue Revised Statutes of Nebraska, 1943, is repealed.