

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 3 - 2 - 0
Yeas: Prozanski, Walker, Burdick
Nays: Beyer, Kruse
Exc.: 0
Prepared By: Matt Kalmanson, Counsel
Meeting Dates: 2/22

WHAT THE MEASURE DOES: Allows employees of the Oregon State Bar (“Bar”) to participate in the deferred compensation plan created by and described in ORS 243.401 to 243.507, the Oregon Savings Growth Plan (OSGP).

ISSUES DISCUSSED:

- Legal status of Bar and its employees
- The interaction of the Bar, the Oregon State Growth Plan and the Public Employees Retirement System
- Opinion by Oregon State Growth Plan administrator that Bar employees can participate in plan, but existence of statutory ambiguity
- Current practice of Bar

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 9.010 lists the specific statutes, applicable to public bodies, that apply to the Bar. The statutes that created the OSGP – ORS 243.401 to 243.507 – are not included in ORS 9.010, although arguably Bar employees qualify as “eligible state employees” who may participate in the plan because they are employees of an “instrumentality of state government.” HB 2358 removes any ambiguity by providing that Bar employees may participate in the OSGP.