

Senate Bill 342

Sponsored by Senators MONNES ANDERSON, MORRISETTE (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows nurse who is retired under Public Employees Retirement System to be employed full-time by public employer as nursing instructor without loss of retirement benefits.

A BILL FOR AN ACT

1
2 Relating to public employee retirement; amending ORS 238.082.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 238.082 is amended to read:

5 238.082. (1) Subject to the limitations in subsection (2) of this section, any public employer may
6 employ any person receiving a service retirement allowance if the administrative head of such em-
7 ployer is satisfied that such employment is in the public interest.

8 (2) The period or periods of employment by one or more public employers of any person receiv-
9 ing a service retirement allowance may not total 1,040 hours or more in any calendar year; but if
10 the person is receiving old-age, survivors or disability insurance benefits under the federal Social
11 Security Act, the person may be employed for the number of hours for which the salary equals the
12 maximum allowed for receipt of the full amount of those benefits to which the person is entitled.

13 (3) The limitations on employment imposed by subsection (2) of this section do not apply to a
14 retired member who is employed as a teacher or as an administrator, as those terms are defined in
15 ORS 342.120, if the retired member is employed by a school district or education service district that
16 has its administrative office located within a county with a population of not more than 35,000 in-
17 habitants according to the latest federal decennial census. A retired member who is employed as a
18 teacher, as defined in ORS 342.120, by the same public employer that employed the member at the
19 time of retirement remains in the same collective bargaining unit that included the member before
20 retirement.

21 (4) The limitations on employment imposed by subsection (2) of this section do not apply to a
22 retired member who is employed:

23 (a) By the sheriff of a county with a population of fewer than 75,000 inhabitants, according to
24 the latest federal decennial census;

25 (b) By the municipal police department of a city with a population of fewer than 15,000 inhab-
26 itants, according to the latest federal decennial census;

27 (c) By the state or a county for work in a correctional institution located in a county with a
28 population of fewer than 75,000 inhabitants, according to the latest federal decennial census;

29 (d) By the Black Butte Ranch Rural Fire Protection District, the Black Butte Ranch Service
30 District or the Sunriver Service District; or

31 (e) By the Oregon State Police for work in a county with a population of fewer than 75,000 in-

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 habitants, according to the latest federal decennial census.

2 (5) The limitations on employment imposed by subsection (2) of this section do not apply to a
3 retired member who is employed to temporarily replace an employee who serves in the National
4 Guard or in a reserve component of the Armed Forces of the United States and who is called to
5 federal active duty.

6 (6) The limitations on employment imposed by subsection (2) of this section do not apply to a
7 retired member who is employed by a road assessment district organized under ORS 371.405 to
8 371.535.

9 **(7) The limitations on employment imposed by subsection (2) of this section do not apply**
10 **to a retired member who is a registered nurse and who is employed by a public employer as**
11 **a nursing instructor.**

12 [(7)] (8) Subsections (3) to [(6)] (7) of this section do not apply to any member who retires under
13 the provisions of ORS 238.280 (1) or (2).

14 [(8)] (9) Employment under this section does not affect the status of a person as a retired
15 member of the system and a recipient of retirement benefits under this chapter.

16

