

# House Bill 2975

Sponsored by Representative BOONE; Representative SCHAUFLEER (at the request of Oregon Fire Chiefs Association)

## 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**.

Provides that 1,039-hour limit on re-employment of retired member of Public Employees Retirement System does not apply to retired member who is employed as fire chief, assistant fire chief or deputy fire chief by city or by fire district. Establishes requirements for exemption from limitation. Sunsets January 2, 2014.  
Declares emergency, effective on passage.

## A BILL FOR AN ACT

1  
2 Relating to public employee retirement; and declaring an emergency.

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

4 **SECTION 1. Section 2 of this 2009 Act is added to and made a part of ORS chapter 238.**

5 **SECTION 2. (1) The provisions of this section apply only to a person:**

6 (a) **Who is a retired member of the Public Employees Retirement System;**

7 (b) **Who did not retire under the provisions of ORS 238.280 (1) or (3); and**

8 (c) **Who is re-employed to serve as a fire chief, an assistant fire chief or a deputy fire**  
9 **chief by a city or by a fire district.**

10 (2) **A city or fire district may re-employ a retired member of the Public Employees Re-**  
11 **irement System under the provisions of this section if the public employer makes a written**  
12 **finding that there is a demonstrated need to re-employ the retired member, including but**  
13 **not limited to:**

14 (a) **Insufficient interest by other employees of the public employer in the position;**

15 (b) **A lack of qualified applicants for the position; and**

16 (c) **A public need for the experience and ability of the retired member.**

17 (3) **The limitations on employment imposed by ORS 238.082 (2) do not apply to a retired**  
18 **member who is re-employed under this section.**

19 (4) **A person may not be re-employed under this section by a city or fire district if the**  
20 **city or fire district was the person's last public employer before the person retired.**

21 (5) **Employment under this section does not affect the status of a person as a retired**  
22 **member of the Public Employees Retirement System and a recipient of retirement benefits**  
23 **under this chapter.**

24 **SECTION 3. Section 2 of this 2009 Act is repealed January 2, 2014.**

25 **SECTION 4. This 2009 Act being necessary for the immediate preservation of the public**  
26 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
27 **on its passage.**

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**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.