

HOUSE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2113

By JOINT COMMITTEE ON WAYS AND MEANS

June 24

1 On page 1 of the printed A-engrossed bill, line 2, after “ORS” insert “169.810,”.

2 In line 3, after “238A.245,” insert “238A.300,”.

3 In line 5, after the semicolon insert “limiting expenditures;”.

4 On page 10, after line 24, insert:

“REEMPLOYMENT OF INACTIVE MEMBER OF PENSION PROGRAM

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8 “**SECTION 19.** ORS 238A.300 is amended to read:

9 “238A.300. (1) Except as provided in ORS 238A.100 (2) **and subsection (2) of this section**, an
10 eligible employee who is employed in a qualifying position on or after August 29, 2003, by a public
11 employer that is participating in the individual account program and who will not receive benefits
12 under ORS chapter 238 for service with the participating public employer pursuant to the provisions
13 of ORS 238A.025 becomes a member of the individual account program on the first day of the month
14 after the employee completes six full calendar months of employment. The six-month probationary
15 period may not be interrupted by more than 30 consecutive working days.

16 “(2) **An inactive member of the pension program who terminated membership in the in-**
17 **dividual account program pursuant to ORS 238A.310 (2) becomes a member of the individual**
18 **account program immediately upon reemployment in a qualifying position.**

19 “**SECTION 20.** ORS 169.810 is amended to read:

20 “169.810. (1) Assumption by the regional correctional facility of those custodial duties formerly
21 performed by a county or city jail constitutes an assumption of duties by a public employer subject
22 to ORS 236.610 to 236.640.

23 “(2) An employee who transfers from employment at a county or city jail to employment at a
24 regional correctional facility operated by the county or city by which the employee has been em-
25 ployed shall be accorded the following rights:

26 “(a) If a trial or probationary service period is required for employment at the county or city
27 jail, the period of county or city employment of the employee shall apply to that requirement.

28 “(b) An employee who transfers from employment at a county or city jail to employment at the
29 regional correctional facility shall retain accumulated unused sick leave with pay and the accumu-
30 lated unused vacation with pay to which the employee was entitled under county or city employment
31 on the day before the transfer that are supported by written records of accumulation and use pur-
32 suant to a plan formally adopted and applicable to the employee under county or city employment.

33 “(c) Notwithstanding any other provision of law applicable to a retirement system for county
34 employees or city employees, an employee who transfers from employment at a county or city jail
35 to employment at the regional correctional facility who was participating in a retirement system

1 under county or city employment may elect, not later than the first day of the month following the
2 month in which the employee transfers, to continue under the retirement system in which partic-
3 ipating and not to become, if eligible, a member of another retirement system. The election shall be
4 made in writing and shall be submitted to the regional correctional facility administrator, the Public
5 Employees Retirement Board and the governing body of the counties and cities that operate the
6 regional correctional facility.

7 “(d) If an employee elects to continue under the retirement system in which participating under
8 county or city employment, the employee shall continue to make required contributions to that
9 system and the administration of the regional correctional facility shall make contributions on be-
10 half of the employee required of an employer participating in that system.

11 “(e) If an employee fails to elect to continue under the retirement system in which participating
12 under county or city employment as provided in paragraph (c) of this subsection or was not partic-
13 ipating in a retirement system under county or city employment, the employee shall become, if eli-
14 gible, a member of the Public Employees Retirement System. If the employee is eligible to become
15 a member of the Public Employees Retirement System, the period of continuous service of the em-
16 ployee under county or city employment immediately before the transfer of the employee shall apply
17 to the six months’ service requirement of ORS 238.015, 238A.100 or 238A.300 (1).

18 “(3) The county or city employment records, or a copy thereof, applicable to an employee
19 transferred under subsection (2) of this section shall be provided by the person having custody of
20 the records to the regional correctional facility administrator.

21 **“SECTION 21. The amendments to ORS 238A.300 by section 19 of this 2011 Act apply only**
22 **to persons who are reemployed in qualifying positions on or after the effective date of this**
23 **2011 Act.**

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25 **“EXPENDITURE LIMITATION**

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27 **“SECTION 22. Notwithstanding any other law limiting expenditures, the limitation on**
28 **expenditures established by section 1 (1), chapter _____, Oregon Laws 2011 (Enrolled House**
29 **Bill 5039), for the biennium beginning July 1, 2011, as the maximum limits for payment of**
30 **expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but ex-**
31 **cluding lottery funds and federal funds, collected or received by the Public Employees Re-**
32 **irement System, is increased by \$475,600.”.**

33 In line 28, delete “19” and insert “23”.

34 In line 34, delete “20” and insert “24”.