

House Bill 2989

Sponsored by Representative RICHARDSON (Presession 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**.

Provides that person appointed or elected as member of Legislative Assembly may not become member of Public Employees Retirement System or participate in state deferred compensation plan as legislator member.

Applies to members of Legislative Assembly who are first appointed or elected on or after effective date of Act.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to legislators; creating new provisions; amending ORS 238A.245; repealing ORS 237.650,
3 237.655, 237.660 and 238A.475 and section 46b, chapter 733, Oregon Laws 2003; and declaring
4 an emergency.

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

6 **SECTION 1. A person who is appointed or elected as a member of the Legislative As-**
7 **sembly may not become a member of the Public Employees Retirement System for service**
8 **as a member of the Legislative Assembly that is performed by reason of that appointment**
9 **or election.**

10 **SECTION 2.** ORS 238A.245 is amended to read:

11 238A.245. (1) Except as provided in subsection (3) of this section, the Public Employees Retirement
12 Board shall cease making pension payments to a retired member of the pension program who
13 is reemployed by a participating public employer in a qualifying position. A retired member of the
14 pension program who is employed in a qualifying position becomes an active member of the pension
15 program without serving the probationary period provided for in ORS 238A.100.

16 (2) If a retired member of the pension program is reemployed under the provisions of this sec-
17 tion, any option chosen by the member under ORS 238A.190 is canceled, and upon retiring thereafter
18 the member may elect any option provided for in ORS 238A.180 and 238A.190. The board shall re-
19 calculate the pension of the member upon subsequent retirement.

20 (3) A retired member of the pension program who becomes a member of the Legislative Assem-
21 bly shall continue to receive the pension elected by the member. A retired member of the pension
22 program who becomes a member of the Legislative Assembly may not elect [*under ORS 237.650*] to
23 become an active member of the Oregon Public Service Retirement Plan [*or a legislator member of*
24 *the state deferred compensation plan*].

25 **SECTION 3. (1) ORS 237.650, 237.655, 237.660 and 238A.475 are repealed.**

26 **(2) Section 46b, chapter 733, Oregon Laws 2003, as amended by section 4, chapter 769,**
27 **Oregon Laws 2007, is repealed.**

28 **SECTION 4. (1) Except as provided in subsection (2) of this section, the repeal of ORS**
29 **237.650, 237.655, 237.660 and 238A.475 and section 46b, chapter 733, Oregon Laws 2003, by sec-**

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 **tion 3 of this 2011 Act applies to service as a member of the Legislative Assembly that is**
2 **attributable to an election or appointment to that office that occurs on or after the effective**
3 **date of this 2011 Act.**

4 **(2) A member of the Legislative Assembly who is serving on the effective date of this 2011**
5 **Act shall continue to accrue benefits under ORS 237.650, 237.655, 237.660 and 238A.475 and**
6 **section 46b, chapter 733, Oregon Laws 2003, as in effect immediately before the effective date**
7 **of this 2011 Act, for so long as the member remains in continuous service as a member of**
8 **the Legislative Assembly. A member of the Legislative Assembly remains in continuous**
9 **service as a member of the Legislative Assembly for the purposes of this subsection until the**
10 **person resigns or otherwise leaves office.**

11 **SECTION 5. This 2011 Act being necessary for the immediate preservation of the public**
12 **peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect**
13 **on its passage.**

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