SENATE AMENDMENTS TO
HOUSE BILL 2184

By COMMITTEE ON HEALTH AND HUMAN SERVICES

May 21

1   Delete line 3 of the printed bill and insert "238.082 and 409.150; and declaring an emergency.".

2   After line 4, insert:

3   "**SECTION 1.** ORS 238.082 is amended to read:

4   "238.082. (1) Subject to the limitations in subsection (2) of this section, any public employer may

5 employ any person receiving a service retirement allowance if the administrative head of such em-

6 ployer is satisfied that such employment is in the public interest.

7   "(2) The period or periods of employment by one or more public employers of any person re-

8 ceiving a service retirement allowance may not total 1,040 hours or more in any calendar year; but

9 if the person is receiving old-age, survivors or disability insurance benefits under the federal Social

10 Security Act, the person may be employed for the number of hours for which the salary equals the

11 maximum allowed for receipt of the full amount of those benefits to which the person is entitled.

12   "(3) The limitations on employment imposed by subsection (2) of this section do not apply to a

13 retired member who is employed as a teacher or as an administrator, as those terms are defined in

14 ORS 342.120, if the retired member is employed by a school district or education service district that

15 has its administrative office located within a county with a population of not more than 35,000 in-

16 habitants according to the latest federal decennial census. A retired member who is employed as a

17 teacher, as defined in ORS 342.120, by the same public employer that employed the member at the

18 time of retirement remains in the same collective bargaining unit that included the member before

19 retirement.

20   "(4) The limitations on employment imposed by subsection (2) of this section do not apply to a

21 retired member who is employed:

22   "(a) By the sheriff of a county with a population of fewer than 75,000 inhabitants, according to

23 the latest federal decennial census;

24   "(b) By the municipal police department of a city with a population of fewer than 15,000 inhab-

25 itants, according to the latest federal decennial census;

26   "(c) By the state or a county for work in a correctional institution located in a county with a

27 population of fewer than 75,000 inhabitants, according to the latest federal decennial census;

28   "(d) By the Black Butte Ranch Rural Fire Protection District, the Black Butte Ranch Service

29 District or the Sunriver Service District; [*or*]

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

31 inhabitants, according to the latest federal decennial census**; or**

32   **"(f) As a deputy director or assistant director of the Department of Human Services, if**

33 **the Governor approves the exemption for the person from the limitations on employment**

34 **imposed in subsection (2) of this section**.

35   "(5) The limitations on employment imposed by subsection (2) of this section do not apply to a

1 retired member who is employed to temporarily replace an employee who serves in the National

2 Guard or in a reserve component of the Armed Forces of the United States and who is called to

3 federal active duty.

4 "(6) The limitations on employment imposed by subsection (2) of this section do not apply to a

5 retired member who is employed by a road assessment district organized under ORS 371.405 to

6 371.535.

7 "(7) Subsections (3) to (6) of this section do not apply to any member who retires under the

8 provisions of ORS 238.280 (1) or (2).

9 "(8) Employment under this section does not affect the status of a person as a retired member

10 of the system and a recipient of retirement benefits under this chapter.".

11 In line 5, delete "1" and insert "2".

12 After line 14, insert:

13 "**SECTION 3. This 2007 Act being necessary for the immediate preservation of the public**

14 **peace, health and safety, an emergency is declared to exist, and this 2007 Act takes effect**

15 **on its passage.**".

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