

## SENATE AMENDMENTS TO SENATE BILL 766

By COMMITTEE ON EDUCATION AND WORKFORCE

April 14

1 Delete lines 4 through 14 of the printed bill and insert:

2 **“SECTION 1. (1) As used in this section, ‘administrator’ has the meaning given that term**  
3 **in ORS 342.120 and also includes employees who hold administrative positions but who are**  
4 **not required to be licensed and are not represented by a bargaining unit.**

5 **“(2) A school district, education service district or public charter school may not enter**  
6 **into a contract with an administrator that grants to the administrator:**

7 **“(a) Salary and benefits at the end of a contract that have a value that is greater than**  
8 **an amount equal to 25 percent of the amount of salary and benefits paid to the administrator**  
9 **in the prior school year; or**

10 **“(b) Except as provided in section 2 of this 2005 Act, retirement benefits that are not**  
11 **available to other employees of the district or school.**

12 **“SECTION 2. (1) As used in this section:**

13 **“(a) ‘Administrator’ has the meaning given that term in section 1 of this 2005 Act.**

14 **“(b) ‘School’ means a school district, education service district or public charter school.**

15 **“(2) Notwithstanding any provision of ORS chapter 238 or 238A, a school may make con-**  
16 **tributions to the retirement plan of an administrator in lieu of making contributions to the**  
17 **Public Employees Retirement System for the administrator. A school may make contribu-**  
18 **tions to the retirement plan of an administrator under this section only if the administrator**  
19 **is not a member of the Public Employees Retirement System and makes an irrevocable**  
20 **election under subsection (3) of this section.**

21 **“(3) An administrator may make an irrevocable election to have contributions made to**  
22 **the retirement plan of the administrator within six months after being employed. An election**  
23 **under this subsection is effective on the first day of the month following six full months of**  
24 **employment. An administrator who makes an irrevocable election under this subsection is**  
25 **not eligible for membership in the Public Employees Retirement System.**

26 **“(4) A school may not contribute amounts to the retirement plan of an administrator**  
27 **under the provisions of this section in excess of the amounts that the school would contrib-**  
28 **ute as employee and employer contributions to the Public Employees Retirement System if**  
29 **the administrator were a member of the Public Employees Retirement System.**

30 **“SECTION 3. Sections 1 and 2 of this 2005 Act apply to contracts entered into on or after**  
31 **the effective date of this 2005 Act.**

32 **“SECTION 4. This 2005 Act being necessary for the immediate preservation of the public**  
33 **peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect**  
34 **on its passage.”.**

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