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OREGON ADMINISTRATIVE RULE
PUBLIC EMPLOYEES RETIREMENT BOARD
CHAPTER 459
DIVISION 030 – LOCAL PUBLIC EMPLOYER RETIREMENT PLANS FOR
POLICE OFFICERS AND FIRE FIGHTERS

1 **459-030-0030**

2 **Board Action on Petition and Review of Order**

3 (1) The actuary will issue a written report that concludes whether a public
4 employer's plan meets the standards for receiving an exemption under OAR 459-030-
5 0025. After receipt of the written actuarial review report and recommendations of staff,
6 the Board will issue an order granting or denying the petition for exemption. No order
7 denying a petition for exemption will be issued until at least 90 days after the actuary had
8 delivered its report to the Board. During that period, the public employer may amend its
9 plan to comply retroactive to the valuation date or file a written request for an extension.
10 Upon filing of that request, the Board will not enter an order denying a petition for
11 exemption for an additional 60 days after receiving the request. If a public employer
12 submits an amended plan before the Board adopts an order denying the exemption, the
13 actuary will submit a supplemental report on whether the amended plan meets the
14 required standards under OAR 459-030-0025. The Board may adopt an order at any time
15 after receiving the supplemental report.

16 (2) Within 60 days of the effective date of any order issued under this rule, the
17 public employer, the affected public employees, or their labor representative may file a
18 petition for rehearing or reconsideration pursuant to OAR 459-001-0010 and 459-001-
19 0040.

20 *[(3) A public employer who has received an order denying its petition for exemption*
21 *and who has exhausted its remedies under this division will join the Oregon Public*

1 *Service Retirement Plan as of the following January 1, or such other date as the Board*
2 *directs in its order.]*

3 Stat. Auth: ORS 238.650

4 Stats. Implemented: ORS 237.620 [& OL 2007 Ch. 622](#)