

75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session
STAFF MEASURE SUMMARY
House Committee on Business and Labor

MEASURE: HB 2430 A
CARRIER: Rep. Schaufler

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	8 - 2 - 0
Yeas:	Cameron, Edwards C., Esquivel, Kennemer, Matthews, Thatcher, Witt, Schaufler
Nays:	Barton, Holvey
Exc.:	0
Prepared By:	Theresa Van Winkle, Administrator
Meeting Dates:	3/6, 4/24, 4/27

WHAT THE MEASURE DOES: Establishes parameters for applying prevailing wage rate law on a mixed-use commercial and residential construction project that predominantly provides affordable housing. Establishes rulemaking authority for the Bureau of Labor and Industries (BOLI). Declares an emergency, effective upon passage.

ISSUES DISCUSSED:

- Previous legislation regarding mixed-use construction projects and application of prevailing wage rates (PWR)
- State of the building construction industry
- Level of support from stakeholders
- Effect of current statute on affordable housing projects
- Number of affordable housing projects affected by the measure

EFFECT OF COMMITTEE AMENDMENT: Replaces the measure.

BACKGROUND: HB 2140 (2007) provided a mechanism to provide public agencies and other interested persons with clearer rules in determining when prevailing wage rates (PWR) must be applied in mixed-use (commercial/residential) construction projects and developments relying upon public-private financing arrangements. However, the enacted measure did not fully clarify the application or exemption of PWR on mixed-use projects that predominantly provide affordable housing.

HB 2430-A establishes that PWR must apply to the construction of the “podium” (a portion of or the entire structural frame constructed of metal, concrete, or reinforced masonry which serves as the ground floor or and base or support for the building’s other floors), and “site work” (amenities or structure located near a building necessary to make a building accessible or habitable), as well as certain types of electrical work. PWR is exempted on the construction of the project’s portions that are above the podium and the entire project if the area available for commercial use in the project is less than twenty percent of the entire project’s square footage.

The measure defines “predominantly” as at least sixty percent, and maintains the current statutory definition for “affordable housing,” which is housing that serves occupants whose incomes are not greater than sixty percent of the state or area median income, or if the occupants are owners, who incomes are not greater than eighty percent of the state or area median income.

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This summary has not been adopted or officially endorsed by action of the committee.

Committee Services Form – 2009 Regular Session