75th OREGON LEGISLATIVE ASSEMBLY - 2009 Regular Session   MEASURE: SB 50 A
STAFF MEASURE SUMMARY   CARRIER: Rep. Edwards C
House Committee on Business and Labor

REVENUE: No revenue impact
FISCAL: No fiscal impact

Action:		Do Pass
Vote:		10 - 0 - 0
	Yeas:	Barton, Cameron, Edwards C., Esquivel, Holvey, Kennemer, Matthews, Thatcher, Witt, Schaufler
	Nays:	0
	Exc.:	0
Prepared By:		Theresa Van Winkle, Administrator
Meeting Dates:		4/29

WHAT THE MEASURE DOES: Extends the deadline for notice of claim from a laborer or supplier on public contracts from 120 to 180 days following the last day labor or furnished materials were provided, and extends the deadline for notice of claim for a required contribution to an employee benefit plan from 150 to 200 days. Declares an emergency, effective upon passage.

ISSUES DISCUSSED:
   • Provisions of the measure

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: One of the provisions in Oregon's Public Contracting Code requires public improvement general contractors to provide payment bonds equal to the full contract price for the protection of persons providing labor or furnishing materials on such contracts. Contractors and subcontractors are also required to file a $30,000 public works bonds with the Construction Contractors Board (CCB) for the purpose of paying unpaid prevailing wages as determined by the Bureau of Labor and Industries (BOLI).

The deadline for filing notice of claim against construction bonds is tied into the last day of work for each individual worker on a project. Because construction workers rarely participate on a project for identical periods of time, BOLI frequently receives complaints on projects where the 120-day filing deadline is imminent for some workers, but not for others. SB 50-A extends the notice of claim filing deadline from 120 to 180 days, providing additional time for resolving complaints without filing claim notices on contractors' bonds, and filing more accurate claim notices when necessary.

The measure also extends the notice of claim deadline for an employee benefit plan from 150 to 200 days after the last worker performed work on a project.

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