

HOUSE AMENDMENTS TO B-ENGROSSED HOUSE BILL 2815

By JOINT COMMITTEE ON WAYS AND MEANS

June 24

1 On page 1 of the printed B-engrossed bill, line 2, delete “creating new provisions;” and insert
2 “appropriating money; and declaring an emergency.”.

3 Delete lines 3 and 4.

4 Delete lines 6 through 22 and pages 2 through 4 and insert:

5 **“SECTION 1. (1) There is established an Interagency Compliance Network consisting of:**

6 **“(a) The Department of Justice;**

7 **“(b) The Department of Revenue;**

8 **“(c) The Employment Department;**

9 **“(d) The Department of Consumer and Business Services;**

10 **“(e) The Bureau of Labor and Industries;**

11 **“(f) The Construction Contractors Board;**

12 **“(g) The State Landscape Contractors Board; and**

13 **“(h) Other state agencies that enter into the intergovernmental agreement as described**
14 **in subsection (3) of this section.**

15 **“(2) The Interagency Compliance Network established under this section shall:**

16 **“(a) Work to establish consistency in agency determinations relating to the classification**
17 **of workers, including but not limited to classification of workers as independent contractors;**

18 **“(b) Gather and share information relating to persons who pay workers in cash and who**
19 **do not comply with laws relating to taxation or employment;**

20 **“(c) Gather and share information relating to the misclassification of workers, including**
21 **but not limited to misclassification as independent contractors;**

22 **“(d) Develop investigative methods for auditing persons who pay workers in cash, or who**
23 **misclassify workers, and who do not comply with laws relating to taxation or employment;**

24 **“(e) Conduct joint audits of persons who pay workers in cash, or who misclassify work-**
25 **ers, and who do not comply with laws relating to taxation or employment;**

26 **“(f) Identify opportunities for and obstacles to improving compliance with the laws re-**
27 **lating to the classification of workers, taxation or employment;**

28 **“(g) Create a coordinated enforcement process for the laws relating to classification of**
29 **workers that is efficient, fair and effective for the public and the regulatory agencies charged**
30 **with enforcing laws relating to taxation or employment;**

31 **“(h) Engage in public outreach efforts to educate the public generally on the distinctions**
32 **between independent contractors and employees and on the laws and regulations governing**
33 **the duties relating to classification of workers; and**

34 **“(i) Take such other action as the member agencies deem appropriate to improve com-**
35 **pliance with laws relating to taxation or employment that are administered by the member**

1 agencies.

2 “(3) The agencies identified in subsection (1)(a) to (g) of this section shall enter into an
3 intergovernmental agreement for the purpose of coordinating the efforts of the agencies
4 under this section. Any other agency of state government, as defined in ORS 174.111, that
5 has an interest in compliance with laws relating to taxation or employment may become a
6 member of the Interagency Compliance Network by entering into the agreement on such
7 terms as may be prescribed by the agencies identified in subsection (1)(a) to (g) of this sec-
8 tion.

9 “(4) Notwithstanding ORS 314.835 or any other law relating to confidentiality of infor-
10 mation, any agency that is a member of the Interagency Compliance Network may enter into
11 an agreement with another member agency to provide information to the other agency. In-
12 formation provided to an agency under this subsection may be used by the agency only for
13 the purpose of enforcing compliance of laws that are administered by the agency.

14 “SECTION 2. The member agencies of the Interagency Compliance Network shall prepare
15 a report once every two years that details the activities of the network during the two-year
16 period. The report shall identify the manner in which the funding for the network has been
17 expended, and an estimate of the revenue impact of the network’s activities. The report shall
18 be provided to the Governor, and to the Legislative Assembly in the manner provided by ORS
19 192.245.

20 “SECTION 3. (1) In addition to and not in lieu of any other appropriation, there is ap-
21 propriated to the Emergency Board, for the biennium beginning July 1, 2009, out of the
22 General Fund, the amount of \$750,000, to be allocated to state agencies that are members
23 of the Interagency Compliance Network for carrying out the purposes of section 1 of this
24 2009 Act. Nothing in this subsection requires that the Emergency Board allocate moneys to
25 each agency in the network or allocate equal amounts to agencies.

26 “(2) If any of the moneys appropriated by subsection (1) of this section are not allocated
27 by the Emergency Board before December 1, 2010, the moneys remaining on that date be-
28 come available for any purpose for which the Emergency Board lawfully may allocate funds.

29 “SECTION 4. This 2009 Act being necessary for the immediate preservation of the public
30 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
31 July 1, 2009.”

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