

B-Engrossed
Senate Bill 51

Ordered by the Senate June 23
Including Senate Amendments dated May 1 and June 23

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Commissioner of the Bureau of Labor and Industries Brad Avakian)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Requires Commissioner of Bureau of Labor and Industries by order to set fee adequate to pay costs of education and enforcement related to prevailing wage law and [*in amount between*] **at** 0.1 percent [*and 0.125 percent*] of contract price for public works, except that fee may be no less than \$250 and no more than \$7,500.

Declares emergency, effective on passage.

A BILL FOR AN ACT

1
2 Relating to the Prevailing Wage Education and Enforcement Account; amending ORS 279C.825; re-
3 pealing section 8, chapter 844, Oregon Laws 2007; and declaring an emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 279C.825 is amended to read:

6 279C.825. (1)(a) The Commissioner of the Bureau of Labor and Industries, by [*rule*] **order**, shall
7 establish a fee to be paid by the public agency that awards a public works contract subject to ORS
8 279C.800 to 279C.870. The **commissioner shall use the fee** [*shall be used*] to pay the costs of:

9 (A) Surveys to determine the prevailing rates of wage;

10 (B) Administering and providing investigations under and enforcement of ORS 279C.800 to
11 279C.870; and

12 (C) Providing educational programs on public contracting law under the Public Contracting
13 Code.

14 (b) The [*fee shall be*] **commissioner shall establish the fee at** 0.1 percent of the contract price.
15 However, in no event may a fee be charged and collected that is [*more than \$5,000 or*] less than
16 [*\$100*] **\$250 or more than \$7,500.**

17 (2) The commissioner shall pay moneys received under this section into the State Treasury. The
18 moneys shall be credited to the Prevailing Wage Education and Enforcement Account created by
19 ORS 651.185.

20 (3) The public agency shall pay the fee at the time the public agency enters into the public
21 works contract.

22 **SECTION 2.** Section 8, chapter 844, Oregon Laws 2007, is repealed.

23 **SECTION 3.** This 2009 Act being necessary for the immediate preservation of the public
24 peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect
25 on its passage.

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

