

Senate Bill 1050

Sponsored by Senator VERGER; Senators KRUSE, METSGER, ROSENBAUM, SCHRADER, WHITSETT, Representatives BARKER, BARTON, HOLVEY, KAHL, SCHAUFLEER, VANORMAN, WITT (at the request of Oregon State Building and Construction Trades Council, Oregon AFL-CIO, Oregon AFSCME) (Presession filed.)

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 **as introduced**.

Prohibits public body from providing public subsidy for purpose of constructing, reconstructing, renovating, altering, maintaining or repairing, or entering into contract to construct, reconstruct, renovate, alter, maintain or repair, structure on real property unless iron, steel and manufactured goods used in structure are made within United States.

Provides that prohibition does not apply if public body or contracting agency finds that amount or quality of iron, steel or manufactured goods made within United States are insufficient or if applying prohibition would increase cost or contract price by more than 25 percent.

A BILL FOR AN ACT

1
2 Relating to public subsidies for structures on real property.

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

4 **SECTION 1. Section 2 of this 2010 Act is added to and made a part of the Public Con-**
5 **tracting Code.**

6 **SECTION 2. (1) As used in this section, "public subsidy" means moneys or the equivalent**
7 **of moneys that this state, a subdivision of this state or the federal government, or an agency**
8 **of this state, of a subdivision of this state or of the federal government, provides in the form**
9 **of:**

10 (a) **A direct appropriation;**

11 (b) **A tax credit or abatement;**

12 (c) **A loan or loan guarantee;**

13 (d) **A combination of the forms described in paragraph (a), (b) or (c) of this subsection;**

14 **or**

15 (e) **Any other form by means of which moneys from taxpayers are used or by reason of**
16 **which this state, a subdivision of this state or the federal government, or an agency of this**
17 **state, of a subdivision of this state or of the federal government, does not charge or collect**
18 **moneys for a public purpose that would otherwise be due.**

19 (2) **A public body may not provide a public subsidy to construct, reconstruct, renovate,**
20 **alter, maintain or repair, or for the purpose of entering into a contract to construct, re-**
21 **construct, renovate, alter, maintain or repair, a structure or appurtenances for a structure**
22 **on real property unless the iron, steel and manufactured goods used in the structure or the**
23 **appurtenances are produced within the United States.**

24 (3)(a) **Subsection (2) of this section does not apply if the public body or a contracting**
25 **agency finds that:**

26 (A) **Iron, steel or manufactured goods intended for use in the structure or the**
27 **appurtenances are not produced within the United States in sufficient and reasonably avail-**

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.

1 able quantities or with satisfactory quality; or

2 (B) Applying the provisions of subsection (2) of this section would increase the cost or
3 contract price for constructing, reconstructing, renovating, altering, maintaining or repair-
4 ing the structure or the appurtenances by more than 25 percent.

5 (b) If a public body or a contracting agency makes a finding described in paragraph (a)
6 of this subsection, the public body or contracting agency shall publish and make the finding
7 publicly available, together with detailed reasons for the finding.

8 SECTION 3. Section 2 of this 2010 Act applies to public subsidies that are provided for:

9 (1) Constructing, reconstructing, renovating, altering, maintaining or repairing a struc-
10 ture or appurtenances for a structure on real property on or after the effective date of this
11 2010 Act; or

12 (2) A contract that is advertised or solicited or, if not advertised or solicited, that is en-
13 tered into on or after the effective date of this 2010 Act for the purpose of constructing,
14 reconstructing, renovating, altering, maintaining or repairing a structure or appurtenances
15 for a structure on real property.
