

**PROPOSED AMENDMENTS TO
HOUSE BILL 4118**

1 On page 1 of the printed bill, delete lines 5 through 21 and delete page
2 2 and insert:

3 **“SECTION 1. Section 2 of this 2014 Act is added to and made a part**
4 **of ORS 279.835 to 279.855.**

5 **“SECTION 2. (1) A qualified nonprofit agency for individuals with**
6 **disabilities, in connection with a contract or agreement to produce and**
7 **sell products or provide services to a public agency, shall pay all of the**
8 **employees of the qualified nonprofit agency for individuals with disa-**
9 **bilities, including employees who are individuals with disabilities, at**
10 **a rate of wage that meets or exceeds a rate that the Commissioner of**
11 **the Bureau of Labor and Industries determines in accordance with**
12 **subsections (2) and (3) of this section. The qualified nonprofit agency**
13 **for individuals with disabilities shall also comply with ORS 652.120, the**
14 **provisions concerning wages set forth in any contract or agreement**
15 **the qualified nonprofit agency for individuals with disabilities has with**
16 **a public agency and any other applicable provision of the labor stan-**
17 **dards of this state. The provisions of this section and ORS 652.025**
18 **control over any conflicting provisions in a contract or agreement**
19 **between a public agency and a qualified nonprofit agency for individ-**
20 **uals with disabilities.**

21 **“(2) At least once each year, the commissioner shall determine the**
22 **rate of wage that qualified nonprofit agencies for individuals with**

1 **disabilities must pay employees under subsection (1) of this section.**
2 **Except as provided in subsection (3) of this subsection, the rate that**
3 **the commissioner determines must equal the rate that the United**
4 **States Secretary of Labor determines under the McNamara-O’Hara**
5 **Service Contract Act, 41 U.S.C. 351 et seq., and related federal regu-**
6 **lations. The commissioner may amend the rate at any time.**

7 **“(3) The rate of wage that the commissioner determines under**
8 **subsection (2) of this section may not be less than the Oregon mini-**
9 **imum wage set forth under ORS 653.025.”.**

10 On page 3, delete lines 1 through 27.

11 In line 28, delete “8” and insert “3”.

12 In line 29, delete “13” and insert “15”.

13 In line 34, delete “eight” and insert “10”.

14 Delete line 43.

15 On page 4, line 1, delete the period and insert a semicolon.

16 After line 1, insert:

17 “(G) One representative from a county government within this state; and

18 “(H) One representative from a labor organization that represents em-
19 ployees of county or local governments.”.

20 After line 17, insert:

21 “(f) How the commissioner can effectively enforce the provisions of sec-
22 tion 2 of this 2014 Act and related labor laws and standards with respect to
23 qualified nonprofit agencies for individuals with disabilities.”.

24 In line 34, delete “2015” and insert “2014”.

25 On page 5, delete lines 2 through 20 and insert:

26 **“SECTION 4. Section 3 of this 2014 Act is repealed on the date of**
27 **the convening of the 2015 regular session of the Legislative Assembly**
28 **as specified in ORS 171.010.**

29 **“SECTION 5. Section 2 of this 2014 Act applies to procurements that**
30 **a public agency advertises or otherwise solicits on or after the opera-**

1 **tive date set forth in section 6 (1) of this 2014 Act or, if the public**
2 **agency does not advertise or solicit the procurement, to a contract or**
3 **an agreement that a public agency enters into on or after the opera-**
4 **tive date specified in section 6 (1) of this 2014 Act.**

5 **“SECTION 6. (1) Section 2 of this 2014 Act becomes operative on**
6 **January 1, 2015.**

7 **“(2) The Commissioner of the Bureau of Labor and Industries, the**
8 **Director of the Oregon Department of Administrative Services and a**
9 **public agency that contracts with qualified nonprofit agencies for in-**
10 **dividuals with disabilities may take any action before the operative**
11 **date specified in subsection (1) of this section that is necessary to en-**
12 **able the commissioner, the director or the public agency to exercise,**
13 **on and after the operative date specified in subsection (1) of this sec-**
14 **tion, the duties, functions and powers conferred on the commissioner,**
15 **the director or the public agency by section 2 of this 2014 Act.**

16 **“SECTION 7. This 2014 Act being necessary for the immediate**
17 **preservation of the public peace, health and safety, an emergency is**
18 **declared to exist, and this 2014 Act takes effect on its passage.”.**

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