

# House Bill 4032

Sponsored by Representative KENNEMER (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**.

Requires Commissioner of Bureau of Labor and Industries to make available, in electronic format, bureau publications free of charge to Oregon employers.

## A BILL FOR AN ACT

1  
2 Relating to Bureau of Labor and Industries publications; amending ORS 651.060.

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

4 **SECTION 1.** ORS 651.060 is amended to read:

5 651.060. (1) The Commissioner of the Bureau of Labor and Industries may conduct investigations,  
6 issue subpoenas and subpoenas duces tecum, administer oaths, obtain evidence and take testimony  
7 in all matters relating to the duties required under ORS 279C.800 to 279C.870, 651.030, 651.050,  
8 651.120 and 651.170 and ORS chapters 652, 653, 658 and 659A and in all contested cases scheduled  
9 for hearing by the Bureau of Labor and Industries pursuant to ORS chapter 183 when the informa-  
10 tion sought is relevant to a lawful investigative purpose and is reasonable in scope. The testimony  
11 shall be taken in some suitable place in the vicinity to which testimony is applicable. The commis-  
12 sioner shall adopt rules for gathering information through subpoenas or testimony. The rules must  
13 include procedures through which a party may object to providing information. After being served  
14 with a subpoena, if a person refuses, without reasonable cause, to be examined, to answer any  
15 question or to produce any document or other thing as required by the subpoena, the commissioner  
16 may petition the circuit court in the county in which the investigation is pending for an order di-  
17 recting the person to show cause why the person has not complied with the subpoena and should  
18 not be held in contempt. The commissioner shall serve the court's order upon the person in the  
19 manner provided by ORCP 55 D. If the person fails to show cause for the noncompliance, the court  
20 shall order the person to comply with the subpoena within such time as the court shall direct and  
21 may hold the person in contempt.

22 (2) Witnesses subpoenaed and testifying before any officer of the bureau shall be paid the fees  
23 and mileage provided for witnesses in ORS 44.415 (2). The payment shall be made from the fund  
24 appropriated for the use of the bureau and in the manner provided in ORS 651.170 for the payment  
25 of other expenses of the bureau.

26 (3) The commissioner shall employ a deputy commissioner and such other assistants or personnel  
27 as may be necessary to carry into effect the powers and duties of the commissioner or of the bureau  
28 and may prescribe the duties and responsibilities of the employees. The commissioner may delegate  
29 any of the powers of the commissioner or of the bureau to the deputy commissioner and to the other  
30 assistants employed under this subsection for the purpose of transacting the business of the  
31 commissioner's office or of the bureau. In the absence of the commissioner, the deputy commissioner

**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 and the other assistants whom the commissioner employs have full authority, under the  
2 commissioner's direction, to do and perform any duty that the law requires the commissioner to  
3 perform. However, the commissioner is responsible for all acts of the deputy commissioner and of  
4 the assistants employed under this subsection.

5 (4) The commissioner may adopt such reasonable rules as may be necessary to administer and  
6 enforce any statutes over which the commissioner or the bureau has jurisdiction.

7 (5) The commissioner may conduct and charge and collect fees for public information programs  
8 pertaining to any of the statutes over which the commissioner or the bureau has jurisdiction.

9 **(6) Notwithstanding subsection (5) of this section, the commissioner shall make available**  
10 **to Oregon employers, free of charge, the bureau's employer publications, including employer**  
11 **handbooks and posters, in electronic format.**

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