

House Bill 2150

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Val Hoyle)

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**.

Removes staffing requirements for hotline concerning complaints and inquiries related to employment in performance of live entertainment.

Repeals statute requiring Bureau of Labor and Industries to appoint advisory committee on expressing milk in workplace.

Requires remaining money collected as civil penalties for violation of statute relating to requirements for expressing milk in workplace to be transferred to State Treasury and credited to General Fund.

A BILL FOR AN ACT

1
2 Relating to the Bureau of Labor and Industries; amending ORS 651.205 and 653.256; and repealing
3 ORS 653.079.

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

5 **SECTION 1.** ORS 651.205 is amended to read:

6 651.205. (1) The operator of a live entertainment facility shall display the poster developed by
7 the Commissioner of the Bureau of Labor and Industries under subsection (2) of this section in a
8 conspicuous manner in a sufficient number of places in the establishment to be read by all persons
9 working in the establishment.

10 (2)(a) The Commissioner of the Bureau of Labor and Industries shall develop a poster that in-
11 cludes:

12 (A) A summary of the rights of independent contractors and employees who perform live enter-
13 tainment;

14 (B) A description of the services offered through and the toll-free telephone number of the live
15 entertainer hotline established under subsection (3) of this section; and

16 (C) Any additional information determined to be necessary by the commissioner.

17 (b) The Bureau of Labor and Industries shall publish the poster developed by the commissioner
18 under this subsection on the bureau's website and shall make the poster available to the public at
19 no cost.

20 (3)(a) The bureau shall implement and maintain a toll-free telephone hotline to receive inquiries
21 and complaints related to employment in the performance of live entertainment.

22 (b) A caller to the hotline may remain anonymous and may request that the inquiry or complaint
23 remain confidential.

24 *[(c) The bureau shall staff the hotline on a half-time basis with a person or persons who have a
25 background in providing live entertainment as an independent contractor or a background in the op-
26 eration of a crisis line.]*

27 *[(d)]* (c) The bureau may share information that has not been designated confidential by a
28 hotline caller with agencies participating in the Interagency Compliance Network established under

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 ORS 670.700, law enforcement agencies or any other agency designated by the commissioner.

2 **SECTION 2.** ORS 653.256 is amended to read:

3 653.256. (1) In addition to any other penalty provided by law, the Commissioner of the Bureau
4 of Labor and Industries may assess a civil penalty not to exceed \$1,000 against any person that
5 willfully violates ORS 653.025, 653.030, 653.045, 653.050, 653.060, 653.261, 653.265, 653.606, 653.611,
6 653.616, 653.621, 653.626, 653.631 or 653.636 or section 5, chapter 537, Oregon Laws 2015, or any rule
7 adopted thereunder.

8 (2) In addition to any other penalty provided by law, the commissioner may assess a civil penalty
9 not to exceed \$1,000 against any person that intentionally violates ORS 653.077 or any rule adopted
10 thereunder.

11 (3) Civil penalties authorized by this section shall be imposed in the manner provided in ORS
12 183.745.

13 (4)(a) All sums collected as penalties under this section shall be first applied toward reimburse-
14 ment of costs incurred in determining the violations, conducting hearings under this section and
15 addressing and collecting the penalties.

16 (b) The remainder, if any, of the sums collected as penalties under subsection (1) of this section
17 shall be paid over by the commissioner to the Department of State Lands for the benefit of the
18 Common School Fund of this state. The department shall issue a receipt for the money to the com-
19 missioner.

20 (c) The remainder, if any, of the sums collected as penalties under subsection (2) of this section
21 shall be paid over by the commissioner to the *[Department of Human Services for the benefit of the*
22 *Breastfeeding Mother Friendly Employer Project]* **State Treasury to the credit of the General**
23 **Fund.** The department shall issue a receipt for the moneys to the commissioner.

24 **SECTION 3. ORS 653.079 is repealed.**
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