

Secretary of State
STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Bureau of Labor and Industries

839

Agency and Division

Administrative Rules Chapter Number

Conforms Prevailing Wage Rate rules to provisions of SB 178 (2011) and makes "housekeeping" revisions

Rule Caption (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

In the Matter of:

Rules regulating prevailing wage rates on public works

Statutory Authority:

ORS 279C.808; 279C.830

Other Authority:

SB 178 (2011)

Stats. Implemented:

ORS 279C.800 - 279C.870

Need for the Rule(s):

These proposed rules make permanent temporary rules previously filed to conform the provisions of the Prevailing Wage Rate rules to the provisions of SB 178 (2011), which became effective June 7, 2011 upon signing by the governor. Because the existing rules did not conform to the provisions of this legislation, the agency's rules needed, and need, to be amended to conform to and implement the provisions of this legislation. Non-substantive "housekeeping" corrections are also being made to several rules.

Documents Relied Upon, and where they are available:

SB 178 and ORS 279C.830; available at <http://www.leg.state.or.us> or upon request from the Bureau of Labor and Industries

Fiscal and Economic Impact:

None or minimal (see below).

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Because public agencies are already required to include certain information pertaining to requirements of the Prevailing Wage Rate law in contract specifications and contracts, the new requirements of SB 178 and these rules should result in no or minimal additional costs to implement.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small business and types of businesses and industries with small businesses subject to the rule:

No new small business costs or requirements.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services:

N/A

c. Equipment, supplies, labor and increased administration required for compliance:

N/A

How were small businesses involved in the development of this rule?

If not, why?:

Small businesses were not involved in the development of these rules because: 1) they were not affected; and 2) the substantive rule revisions conform to legislation enacted.

Administrative Rule Advisory Committee consulted?: No

No administrative rule advisory committee was deemed necessary because the substantive rule revisions conform to legislation enacted. The Prevailing Wage Advisory Committee has reviewed these rules.

10-21-2011 Close of Business

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9-6-11 10:21 AM

Last Day (m/d/yyyy) and Time
for public comment

Printed Name

Email Address

Date Filed

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310.

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