

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, Wage and Hour Division

839-025

Agency and Division

Administrative Rules Chapter Number

In the Matter of: Rules Regulating Prevailing Wages on Public Works

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.) Clarifies and corrects prevailing wage rate rules

Statutory Authority: ORS 651.060(4); 279C

Other Authority:

Stats. Implemented: ORS 279C.800 – 279C.870

Need for the Rule(s): The proposed rule amendments replace an erroneous reference to “fiscal year” with “budget period” in OAR 839-025-0008 relating to the period of time a public agency’s list of planned public improvements must include, and clarify that pursuant to ORS 279C.836, Public Works Bonds are required to be filed with the Construction Contractors Board by contractors and subcontractors on public works projects of \$100,000 or more.

Documents Relied Upon, and where they are available: ORS 279C.305 and ORS 279C.836; available electronically from the Oregon State Legislature website at <http://www.leg.state.or.us/index.html> or BOLI’s website at <http://egov.oregon.gov/BOLI/>. Copies are also available upon request from the Bureau of Labor and Industries.

Fiscal and Economic Impact, including Statement of Cost of Compliance: The proposed rule revisions are “housekeeping” and clarifying in nature and will not result in any fiscal or economic impact to the Bureau of Labor and Industries, public agencies or public contractors.

How were small businesses involved in the development of this rule? Because the proposed rule revisions are “housekeeping” and clarifying in nature, it was not deemed necessary to involve small businesses in this rulemaking process. The proposed rule revisions will be distributed to all public agencies and contractors on the agency’s PWR mailing list for comment and will additionally be reviewed by the Prevailing Wage Advisory Committee.

Administrative Rule Advisory Committee consulted?: Yes. The Prevailing Wage Advisory Committee, established pursuant to ORS 279C.820, will be consulted and provided an opportunity for input regarding these rule.

If not, why?:



Dan Gardner

1/15/08

Signature

Printed name

Date