

House Bill 2331

Ordered printed by the Speaker pursuant to House Rule 12.00A (5). Pre-session filed (at the request of Representative Wayne Scott for Oregon Restaurant Association)

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**.

Deletes annual adjustment of minimum wage.

A BILL FOR AN ACT

Relating to annual adjustment of minimum wage; amending ORS 653.025 and 653.040.

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

SECTION 1. ORS 653.025 is amended to read:

653.025. *[(1)]* Except as provided by ORS 652.020 and the rules of the Commissioner of the Bureau of Labor and Industries issued under ORS 653.030 and 653.261, *[for each hour of work time that the employee is gainfully employed, no]* **for calendar years after December 31, 2004, an employer [shall] may not** employ or agree to employ any employee at wages computed at a rate lower than~~[-]~~ **\$7.25 for each hour of work time that the employee is gainfully employed.**

[(a) For calendar year 1997, \$5.50]

[(b) For calendar year 1998, \$6.00]

[(c) For calendar years after December 31, 1998, and before January 1, 2003, \$6.50.]

[(d) For calendar year 2003, \$6.90.]

[(e) For calendar years after 2003, a rate adjusted for inflation.]

[(2)(a) The Oregon minimum wage shall be adjusted annually for inflation, as provided in paragraph (b) of this subsection.]

[(b) No later than September 30 of each year, beginning in calendar year 2003, the commissioner shall calculate an adjustment of the wage amount specified in subsection (1) of this section based upon the increase (if any) from August of the preceding year to August of the year in which the calculation is made in the U.S. City Average Consumer Price Index for All Urban Consumers for All Items as prepared by the Bureau of Labor Statistics of the United States Department of Labor or its successor.]

[(c) The wage amount established under this subsection shall:]

[(A) Be rounded to the nearest five cents; and]

[(B) Become effective as the new Oregon minimum wage, replacing the dollar figure specified in subsection (1) of this section, on January 1 of the following year.]

SECTION 2. ORS 653.040 is amended to read:

653.040. The Commissioner of the Bureau of Labor and Industries, in addition to the commissioner's other powers, may:

(1) Investigate and ascertain the wages of persons employed in any occupation or place of employment in the state.

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 (2) Require from an employer statements, including sworn statements, with respect to wages,
2 hours, names and addresses and such other information pertaining to the employer's employees or
3 their employment as the commissioner considers necessary to carry out ORS 653.010 to 653.261.

4 (3) Make such rules as the commissioner considers appropriate to carry out the purposes of ORS
5 653.010 to 653.261, or necessary to prevent the circumvention or evasion of ORS 653.010 to 653.261
6 and to *[establish and]* safeguard the minimum wage rates provided for under ORS 653.010 to 653.261.

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8 *[If any part of this statute is held to be unconstitutional under the state or federal constitution, the*
9 *remaining parts shall not be affected, and shall remain in full force and effect.]*

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