

NOTE: Matter within { + braces and plus signs + } in an amended section is new. Matter within { - braces and minus signs - } is existing law to be omitted. New sections are within { + braces and plus signs + } .

LC 2752

Senate Bill 646

Sponsored by Senator METSGER

### 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.

Creates Office of Trade Enforcement within Oregon Department of Administrative Services. Specifies duties of office.

Appropriates moneys from General Fund to Oregon Department of Administrative Services for purposes of implementing Act.

Directs Governor to appoint Citizens' Commission on Globalization.

Declares emergency, effective on passage.

### A BILL FOR AN ACT

Relating to trade; appropriating money; and declaring an emergency.

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

SECTION 1. { + The Office of Trade Enforcement is created within the Oregon Department of Administrative Services. + }

SECTION 2. { + (1) The Office of Trade Enforcement is under the supervision and control of a director, who is responsible for the performance of the duties, functions and powers of the office.

(2) The Director of the Oregon Department of Administrative Services shall establish the qualifications for and appoint the Director of the Office of Trade Enforcement. The Director of the Office of Trade Enforcement holds office at the pleasure of the Director of the Oregon Department of Administrative Services.

(3) The Director of the Office of Trade Enforcement shall receive a salary as prescribed by law, or as prescribed by the Director of the Oregon Department of Administrative Services if a salary is not prescribed by law.

(4) The Director of the Office of Trade Enforcement is in the unclassified service.

(5) In performing the duties, functions and powers under sections 1 to 6 of this 2005 Act, the office may utilize the administrative assistance of the Oregon Department of Administrative Services. The office shall pay to the department a proportionate share of the cost of such administrative services,

such share to be fixed by biennial negotiation between the office and the department. + }

SECTION 3. { + The Office of Trade Enforcement shall:

(1) Monitor trade negotiations and disputes impacting the state economy.

(2) Provide technical assistance to workers and firms impacted by unfair trade practices.

(3) Provide an annual state impact report to the Governor, Legislative Assembly and Citizens' Commission on Globalization that includes:

(a) An audit of the amount of public contract work being performed overseas;

(b) An audit of government goods being procured from overseas;

(c) A study of the impacts of trade on state and local employment levels, tax revenues and retraining and adjustment costs for displaced workers; and

(d) An analysis of the constraints trade rules place on state regulatory authority, including but not limited to the state's ability to preserve the environment, protect public health and safety and provide high-quality public services. + }

SECTION 4. { + (1) The state impact report required under section 3 of this 2005 Act must include recommendations for specific actions that the state should take in response to the findings of the Office of Trade Enforcement on the impacts of trade on the state. Recommended actions may include:

(a) Rescission of the state's consent to be bound by the procurement rules of international trade agreements and establishment of procedures for approval of the state's accession to future agreements;

(b) Prohibition of the offshore transfer of state contract work and preference for domestic products in state purchasing;

(c) State support for cases brought under federal trade laws by residents of the state;

(d) State advocacy for reform of trade agreements and trade laws at the federal level; and

(e) Implementation of a growth strategy formulated with business, labor and community participation.

(2) A growth strategy recommended under subsection (1)(e) of this section may include:

(a) More effective early warning and layoff avoidance measures;

(b) Additional retraining and adjustment programs for displaced workers and trade-impacted communities;

(c) Higher standards and accountability for recipients of state subsidies and incentives;

(d) Investments in workforce training and development;

(e) Investments in technology and infrastructure; and

(f) Increased access to capital for local producers. + }

SECTION 5. { + (1) Within 30 days after receipt of a state impact report from the Office of Trade Enforcement, the Governor shall provide a written response to the office. The response must indicate which recommendations the executive department will implement and provide a timetable for the implementation. If any recommendation in the report is not to be implemented, the response must provide an explanation.

(2) The President of the Senate and the Speaker of the House of Representatives shall ensure that the state impact report of the

office is submitted to the appropriate legislative committee for consideration. + }

SECTION 6. { + The Director of the Office of Trade Enforcement may adopt rules necessary for the administration of sections 1 to 6 of this 2005 Act. + }

SECTION 7. { + The Office of Trade Enforcement shall provide the first annual state impact report under section 3 of this 2005 Act on or before February 1, 2006. + }

SECTION 8. { + (1) The Governor shall appoint a Citizens' Commission on Globalization. The commission shall include representatives of the manufacturing industry, service, agricultural, labor and community organizations and government. Members of the commission shall serve without compensation.

(2) The commission shall:

(a) Assess the legal and economic impacts of trade agreements;

(b) Hold public hearings on the impact of trade on the state;  
and

(c) Make recommendations to the Governor, Legislative Assembly, Oregon Congressional Delegation and United States trade negotiators. + }

SECTION 9. { + There is appropriated to the Oregon Department of Administrative Services, for the biennium beginning July 1, 2005, out of the General Fund, the amount of \$\_\_\_ for the purpose of carrying out the provisions of sections 1 to 6 of this 2005 Act. + }

SECTION 10. { + This 2005 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2005 Act takes effect on its passage. + }

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