

## Chapter 658

### 1959 REPLACEMENT PART

## Employment Agencies; Farm Labor Contractors

#### EMPLOYMENT AGENCIES

- 658.005 Definitions for ORS 658.005 to 658.245
- 658.015 Exemptions from ORS 658.005 to 658.245
- 658.025 Operation of employment agency without license prohibited; posting license
- 658.035 Application for license
- 658.045 Citizenship and character of applicant
- 658.055 Investigation of applicant
- 658.065 License not to be granted for certain locations or persons; action on application to be taken within 30 days
- 658.075 Bond of licensee
- 658.085 License fees
- 658.095 Expiration of license; renewal
- 658.105 Licenses not transferable; applicable only to place stated in application
- 658.115 Suspension or revocation of licenses
- 658.125 Appeals from orders of Labor Commissioner
- 658.135 Notice to commissioner before transfer of right to participate in profits of agency
- 658.145 Filing schedule of charges with commissioner; effective date of schedule changes
- 658.155 Posting schedule of charges at agency; charge in excess of schedule prohibited
- 658.165 Order necessary before charge to be made
- 658.175 Repaying charge when applicant for employment fails to obtain employment
- 658.185 Returning part of charge to applicant when employment lasts less than 14 days
- 658.195 Giving false information or making false representations; advertisements

- 658.205 Sending persons to illegally operated businesses prohibited
- 658.215 Sending minors to places where intoxicating liquors consumed
- 658.225 Sending persons to place where labor dispute exists
- 658.235 Division of charges with other persons
- 658.245 Actions upon licensee's bond

#### FARM LABOR CONTRACTORS

- 658.405 Definitions for ORS 658.405 to 658.455
- 658.410 Farm labor contractors must have license; crew leaders must register
- 658.415 Application for farm labor contractor's license; proof of insurance
- 658.420 Investigation of applicant; issuance of license; protest against issuance of license
- 658.425 Temporary permit pending issuance of license
- 658.430 Form of license
- 658.435 Expiration and renewal of licenses
- 658.440 Duties of farm labor contractors
- 658.445 Revocation, suspension or refusal to renew license
- 658.450 Applicability of Administrative Procedures Act
- 658.455 Disposition of moneys received; paying costs of administration

#### PENALTIES

- 658.991 Penalties

#### CROSS REFERENCES

Discrimination in employment, 659 015, 659 020

#### EMPLOYMENT AGENCIES

Administrative procedures governing state agencies, 183 310 to 183 510  
Public employment service, 657 705

#### 658 195

Employer filing false statement with employment agency, 659 260  
Fraudulently accepting advancement and refusing to work, 659 250

#### FARM LABOR CONTRACTORS

Farm labor camps, sanitary conditions, 446 510 to 446 660

#### 658.405

Employment of women and minors, Ch 653

Position in state service of certain farm laborers, 240 205

Wages and hours generally, Ch 652

#### 658 415

Insurance as evidence of responsibility, 486 506 to 486 575

Vehicles used to transport workers, safety code, 485 310 to 485 420

#### 658.440

Deceptive representations by employers, 659 210  
Juvenile court, deducting wages to comply with order issued by, 419 515

Payment of wages generally, 652 110 to 652 240

#### 658.455

Estimates required for expenditure of allotted appropriation, 291 242

**EMPLOYMENT AGENCIES**

**658.005 Definitions for ORS 658.005 to 658.245.** As used in ORS 658.005 to 658.245:

(1) "Charge for services" means.

(a) Any money or other valuable consideration paid or promised to be paid for services rendered or to be rendered by an employment agency.

(b) Any money received by any employment agency in excess of what has been paid out by it for transportation, transfer of baggage or board and lodging.

(c) The difference between the amount of money received by any employment agency which has furnished employes, performers or entertainers for circus, vaudeville, theatrical or other similar entertainments, exhibitions or performances, and the amount paid by the employment agency to such employe, performer or entertainer.

(d) The difference between the amount of money received or to be received by any employment agency which furnishes farm laborers to others for a valuable consideration and the amount paid by the employment agency to the farm laborers

(e) The difference between the amount received by a labor contractor who is not subject to ORS 658.405 to 658.455 and the amount paid by him to the person employed to render personal services to, for or under the direction of a third person

(2) "Commissary privileges" means the furnishing of those commodities commonly known as commissary privilege, including food, supplies, tools or shelter to contract laborers

(3) "Employment agency" includes:

(a) The business of conducting an office or type of agency which procures, offers, promises or attempts to procure employment for others, or which provides for the registration of persons seeking to procure or retain employment, or which participates in the giving of information regarding where and from whom employment may be secured, if a charge for service is exacted, directly or indirectly.

(b) Any person, bureau, organization or school which for profit, by advertisement or otherwise, offers, as one of its main objects or purposes, to procure employment for any person who pays for its services, or which collects tuition, or charges for service of any nature, where the main object of the person paying the same is to secure employment

(c) Labor contractors who are not subject to ORS 658.405 to 658.455.

(4) "Labor Commissioner" means the Commissioner of the Bureau of Labor.

(5) "Labor contractor" means any person who, for a charge for service, employs any person or group of persons to work for or under a third person, but does not include a central hiring establishment, registry or agency maintained without charge for service to applicants for employment maintained by groups of employers or groups of employes, and does not include a farm labor contractor subject to ORS 658 405 to 658.455.

(6) "Licensee" means a person licensed under ORS 658 005 to 658 245. [1953 c.694 §1; 1959 c 395 §15]

**658.010** [Repealed by 1953 c 694 §30]

**658.015 Exemptions from ORS 658.005 to 658.245.** ORS 658 005 to 658 245 do not apply to an agency exclusively placing teachers, nor to farm labor contractors subject to ORS 658.405 to 658 455, nor to any nonprofit organization or corporation, organized for the purpose of economic adjustment, civic betterment, or for giving vocational guidance and placement to its members, when all of the following requirements are met:

(1) None of its directors, officers or employes are deriving any profit beyond a reasonable salary for services performed on its behalf.

(2) Membership dues and fees are used solely for the maintenance of the organization or corporation [1953 c 694 §25; 1959 c 395 §16]

**658.020** [Repealed by 1953 c.694 §30]

**658.025 Operation of employment agency without license prohibited; posting license.** No person shall establish or maintain an employment agency without a valid license The license shall be posted conspicuously in the place serving as office of the employment agency [1953 c 694 §2]

**658.030** [Repealed by 1953 c.694 §30]

**658.035 Application for license.** Applications for licenses to maintain an employment agency shall be made to the Labor Commissioner on forms prepared for that purpose and furnished by the Labor Commissioner, and shall contain the following information:

(1) The business name and address of the employment agency.

(2) The address where the business of the employment agency is to be conducted.

(3) Whether the applicant plans to maintain a lodging house for the unemployed separate from the employment agency.

(4) The business or occupation of the applicant for the two years immediately preceding the date of application.

(5) The names and addresses of all persons, except bona fide employes on regular salaries, who are financially interested in the operation of the employment agency to be licensed, together with the amount of their respective financial interests. [1953 c.694 §3]

**658.040** [Repealed by 1953 c.694 §30]

**658.045 Citizenship and character of applicant.** Any applicant for a license shall be a citizen of the United States and of good moral character. The application shall be accompanied by affidavits of five freeholders of the State of Oregon who are residents of the city or county where the employment agency is to be maintained, stating that the applicant is of good moral character. [1953 c.694 §4]

**658.050** [Repealed by 1953 c.694 §30]

**658.055 Investigation of applicant.** Upon receipt of an application for a license, the Labor Commissioner may cause an investigation to be made concerning:

(1) The matters stated in the application.

(2) The moral character and responsibility of the applicant.

(3) The suitability of the premises designated in the application as the place where the employment agency is to be maintained. [1953 c.694 §5]

**658.060** [Repealed by 1953 c.694 §30]

**658.065 License not to be granted for certain locations or persons; action on application to be taken within 30 days.** (1) No license shall be granted when the employment agency is to be maintained:

(a) In rooms also used for living or sleeping quarters or in such rooms connected by an entrance thereto.

(b) Where boarders or lodgers are kept.

(c) Where meals are served.

(d) Where intoxicating liquors are sold or consumed.

(e) In connection with pool rooms or soft drink parlors.

(f) By a person whose license has been revoked within three years from the date of application.

(2) Licenses shall be granted or refused within 30 days from the date of filing application. [1953 c.694 §6]

**658.070** [Repealed by 1953 c 694 §30]

**658.075 Bond of licensee.** Before a license is issued or renewed for any employment agency, the applicant shall file with the Labor Commissioner a surety bond of \$1,000, payable to the people of the State of Oregon, conditioned that the applicant will comply with ORS 658 005 to 658.245 and will pay all sums legally owing to any person when the employment agency or its agents have received such sums, and will pay all damages occasioned to any person by reason of any wilful misrepresentation, fraud, deceit, or other unlawful act or omission by the employment agency or its agents or employes, while acting within the scope of their employment. [1953 c.694 §7]

**658.080** [Repealed by 1953 c.694 §30]

**658.085 License fees.** (1) Every applicant for issuance or renewal of a license for an employment agency shall also pay to the Labor Commissioner an annual license fee in accordance with the size of the city or town, according to the latest census of the United States, in which the principal place of business of the employment agency is located, as follows:

Population of City or Town	License Fee
Over 100,000	\$100
50,000 to 100,000	\$ 50
Under 50,000	\$ 25

(2) Fees for new licenses shall be prorated on the basis of one-twelfth of the amount provided in this section multiplied by the number of months remaining in the calendar year.

(3) All license fees received pursuant to this section shall be credited to the Bureau of Labor Account and shall be used only for the administration of ORS 658 005 to 658 245. [1953 c 694 §8, 1957 c 465 §12]

**658.090** [Repealed by 1953 c.694 §30]

**658.095 Expiration of license; renewal.** (1) Licenses shall expire on December 31 of each year, unless sooner revoked.

(2) Applications for renewal shall be made on or before January 1 of each year by filing a renewal application, posting a new bond and paying the license fees. Applications for renewal need contain only the matters listed in subsections (1), (2) and (5) of ORS 658.035. [1953 c.694 §9]

**658.100** [Repealed by 1953 c.694 §30]

**658.105 Licenses not transferable; applicable only to place stated in application.** Licenses under ORS 658.005 to 658.245 are not transferable and apply only to the employment agency for which they are issued at the place stated in the application [1953 c.694 §10]

**658.110** [Repealed by 1953 c.694 §30]

**658.115 Suspension or revocation of licenses.** The Labor Commissioner shall revoke or suspend any license issued under ORS 658.005 to 658.245 whenever it shall appear to said commissioner that if the licensee were then applying for a license his application should be denied under ORS 658.045 or 658.065 or whenever the licensee has violated any provision of ORS 658.005 to 658.245 [1953 c.694 §11]

**658.120** [Repealed by 1953 c.694 §30]

**658.125 Appeals from orders of Labor Commissioner.** (1) A person aggrieved by an order of the Labor Commissioner refusing to issue or renew a license or revoking or suspending a license may obtain a review thereof by filing a written petition for review with the clerk of the circuit court in the county in which the business is conducted within 30 days after the entry of said order.

(2) The petition shall state the grounds upon which the review is asked and shall pray that the order of the commissioner be modified or set aside in whole or in part. A copy of such petition shall forthwith be served upon the commissioner and thereupon the commissioner shall certify and file in the court a transcript of the findings upon which the order complained of was entered.

(3) The case shall then be tried de novo and the parties shall be permitted to introduce evidence and to file briefs. The court may affirm, modify or set aside the commissioner's order in whole or in part, or may remand the case to the commissioner for further evidence, and may, in its discretion, stay the effect of the commissioner's order

pending its determination of the case. The court's decision shall have the force and effect of a decree in equity.

(4) Either party may appeal from judgment of the circuit court to the Supreme Court in the manner as civil actions may be appealed thereto. [1953 c.694 §12]

**658.130** [Repealed by 1953 c.694 §30]

**658.135 Notice to commissioner before transfer of right to participate in profits of agency.** No licensee shall sell, transfer or give away any interest in or the right to participate in the profits of the employment agency without giving notice to the Labor Commissioner. [1953 c.694 §13]

**658.140** [Repealed by 1953 c.694 §30]

**658.145 Filing schedule of charges with commissioner; effective date of schedule changes.** (1) Every employment agency shall file with the Labor Commissioner a schedule of charges for service to be collected in the conduct of its business. In the schedule, the various employments shall be classified according to the nature of the work, and in each classification the maximum fee shall be fixed and shall include the charges for services of every kind rendered by the agency in each case or transaction on behalf of the prospective employer and a prospective employe.

(2) Changes in the schedule may be made, but no change shall become effective until seven days after the date of filing thereof with the Labor Commissioner and until posted for not less than seven days in a conspicuous place in the agency. [1953 c.694 §14]

**658.150** [Repealed by 1953 c.694 §30]

**658.155 Posting schedule of charges at agency; charge in excess of schedule prohibited.** (1) A copy of the schedule of charges for service in effect with the changes noted thereon shall be kept posted in each room of the employment agency frequented by applicants for help or employment. The posted schedule and the changes therein shall be in lettering or printing of not less than 12-point type. The date of the taking effect of the schedule and of each change therein shall appear on the posted copies and a certificate thereof shall be procured from the Labor Commissioner and kept posted in a conspicuous place in the agency.

(2) No charge for service to be collected shall be in excess of the schedule in force at the time of issuing of the contract for employment. [1953 c.694 §15]

**658.160** [Repealed by 1953 c.694 §30]

**658.165 Order necessary before charge to be made.** No employment agency shall accept a charge for service from any applicant for employment or refer any applicant without having obtained, orally or in writing, a bona fide order therefor. [1953 c.694 §16]

**658.170** [Repealed by 1953 c.694 §30]

**658.175 Repaying charge when applicant for employment fails to obtain employment.** (1) If the applicant for employment paying a cash charge for service fails to obtain employment, the employment agency shall, upon demand therefor, repay the amount of the charge for service to the applicant. Unless the charge for service is returned within 48 hours after demand, the employment agency shall pay to the applicant double the amount of the charge for service. A statement to this effect shall be in the schedule of charges for services posted in the office of the employment agency.

(2) Nothing in this section shall apply to controversies arising by reason of other provisions of ORS 658.005 to 658.245. [1953 c.694 §17]

**658.180** [Repealed by 1953 c.694 §30]

**658.185 Returning part of charge to applicant when employment lasts less than 14 days.** In cases where the applicant is employed and the employment lasts less than 14 days, the employment agency shall return to the applicant that part of the charge for service paid which exceeds 10 percent of the amount earned. [1953 c.694 §18]

**658.195 Giving false information or making false representations; advertisements.** (1) No employment agency shall knowingly publish or cause to be published any false, fraudulent or misleading information, representation, notice or advertisement.

(2) All advertisements of an employment agency by means of cards, circulars or signs, and in newspapers and other publications, and all letterheads, receipts and blanks shall contain the licensed name and address of the employment agency.

(3) No employment agency shall knowingly give any false information or make any false promises or representations concerning an engagement or employment to any applicant who registers or applies for employment or help. [1953 c.694 §19]

**658.205 Sending persons to illegally operated businesses prohibited.** No employment agency shall send or cause to be sent any person as an employee to any illegally operated business the character of which the agency could have ascertained upon reasonable inquiry. [1953 c.694 §20]

**658.215 Sending minors to places where intoxicating liquors consumed.** No employment agency shall refer any minor under the age of 21 years for employment to any place where intoxicating liquors are to be consumed on the premises. [1953 c.694 §21]

**658.225 Sending persons to place where labor dispute exists.** No employment agency shall refer any applicant for employment to any place where a strike, lockout or other labor dispute exists without notifying the applicant of such conditions and shall in addition thereto make a written statement of such facts, a copy of which is to be given to the applicant. [1953 c.694 §22]

**658.235 Division of charges with other persons.** No employment agency shall divide charges for services with an employer, agent or employe of an employer or person to whom applicants are referred for employment [1953 c.694 §23]

**658.245 Actions upon licensee's bond.** All actions brought in any court against any employment agency may be brought in the name of the person damaged upon the bond deposited according to ORS 658.075 and may be transferred and assigned as other claims for damages. The amount of damages claimed by the plaintiff determines the jurisdiction of the court in which action is to be brought. [1953 c.694 §24]

**658.250 to 658.400** [Reserved for expansion]

## FARM LABOR CONTRACTORS

**658.405 Definitions for ORS 658.405 to 658.455.** As used in ORS 658.405 to 658.455 and subsections (2) and (3) of ORS 658.991, unless the context requires otherwise:

(1) "Farm labor contractor" means any

person who, for an agreed remuneration or rate of pay, recruits, solicits, supplies or employs workers to perform farm labor for another in connection with the production or harvesting of farm products; or who recruits, solicits, supplies or employs workers on behalf of an employer engaged in the growing, production or harvesting of farm products; or who, in connection with the recruitment or employment of farm labor, furnishes board, lodging or transportation for workers. However, "farm labor contractor" does not include farmers, their permanent employes, advertising media, platoon leaders or individuals engaged in the solicitation or recruitment of persons for dayhaul work on a farm or in connection with the growing, production or harvesting of farm products, nor does it include the Oregon State Employment Service; nor does it include the crew leader, who for the purposes of ORS 658.405 to 658.455 shall be defined as the member of a group of farm workers who (a) acts as spokesman for the group, (b) travels with the group from another state into Oregon, (c) performs agricultural work along with other group members. He may also gather the group of workers in his home state, help to transport them to Oregon and do supervising or other duties for the farmer so long as he receives no extra compensation from other group members for such duties or services

(2) "Labor Commissioner" means the Commissioner of the Bureau of Labor. [1959 c.395 §1]

**658.410 Farm labor contractors must have license; crew leaders must register.** (1) Except as provided by ORS 658.425, no person shall act as a farm labor contractor without a valid license in his possession issued to him by the Labor Commissioner. The Bureau of Labor shall make rules for the issuance of duplicate licenses in the event of the loss or destruction of original licenses

(2) All crew leaders shall register at any office of the Oregon State Employment Service under the rules of the Bureau of Labor. [1959 c.395 §2]

**658.415 Application for farm labor contractor's license; proof of insurance.** (1) Any person may file an application for a license to act as a farm labor contractor at any office of the Oregon State Employment Service. The application shall be sworn to by the applicant and shall be written on a form

prescribed by the Labor Commissioner. The form shall include, but not be limited to, questions asking

(a) The applicant's name, address and citizenship.

(b) Information on all motor vehicles to be used by the applicant in his operations as a farm labor contractor

(c) Whether or not the applicant was denied a license under ORS 458.405 to 458.455 within the preceding three years, or had such a license revoked within the preceding three years

(d) The names and addresses of all persons financially interested, whether as partners, shareholders, associates or profit-sharers, in the applicant's proposed operations as a farm labor contractor, together with the amount of their respective interests, and whether or not, to the best of the applicant's knowledge, any of these persons was denied a license under ORS 458.405 to 458.455 within the preceding three years, or had such a license revoked within the preceding three years.

(2) Each applicant shall furnish a sworn written statement, providing any information required by the Labor Commissioner relating to the applicant's character, competence, responsibility and the manner and method by which he proposes to conduct his operations as a farm labor contractor if he is licensed

(3) Each applicant shall furnish satisfactory proof with his application of the existence of a policy of insurance in an amount adequate under rules issued by the Bureau of Labor. The policy shall insure the applicant throughout the period for which a license is sought against liability for injury to persons and damage to property arising out of the applicant's operation or ownership of any motor vehicle used for the transportation of workers in connection with his operations as a farm labor contractor

(4) The office of the Oregon State Employment Service in which an application is filed under subsections (1), (2) and (3) of this section shall immediately forward the application form and accompanying statements to the Labor Commissioner if satisfactory evidence of adequate insurance has been furnished under subsection (3) of this section and if the applicant has paid in advance a fee of \$10. The certificate of an insurance agent licensed in Oregon shall constitute satisfactory evidence of adequate insurance. [1959 c.395 §§3, 4]

**658.420 Investigation of applicant; issuance of license; protest against issuance of license.** (1) The Labor Commissioner shall conduct an investigation of each applicant's character, competence and reliability, and of any other matter relating to the manner and method by which he proposes to conduct and has conducted his operations as a farm labor contractor.

(2) The Labor Commissioner shall issue a license within 15 days after the day on which the application therefor was received in his office if he is satisfied as to the applicant's character, competence and reliability.

(3) Any individual may protest the issuance of a license to any applicant at any time, and the Labor Commissioner shall give the individual an opportunity to state the reasons for his objection [1959 c.395 §5]

**658.425 Temporary permit pending issuance of license.** (1) The office of the Oregon State Employment Service in which an application is filed shall issue to the applicant a temporary permit valid for not more than 15 days, if the following conditions are satisfied:

(a) The application is complete on its face.

(b) The applicant has furnished satisfactory evidence of adequate insurance under rules issued by the Bureau of Labor

(c) The applicant has paid in advance the fee of \$10 required by subsection (4) of ORS 658.415.

(d) The applicant has not been denied a license under ORS 658.405 to 658.455 within the preceding three years, nor has had such a license revoked within the preceding three years, as appears of record with the Labor Commissioner.

(2) The office that issued a temporary permit to an applicant may renew it for one additional period not to exceed five days if the Labor Commissioner neither approves nor rejects the applicant's application within 15 days after the application was filed. However, any temporary permit expires immediately if the Labor Commissioner rejects the application of the person holding that permit.

(3) For the purposes of paragraphs (c) and (d) of subsection (1) of ORS 658.415 and paragraph (d) of subsection (1) of this section, the refusal by the Labor Commissioner to renew a license shall be considered as the revocation of that license on the date of its expiration. [1959 c 395 §6]

**658.430 Form of license.** Each license

shall bear on its face such information as is prescribed by rules of the Bureau of Labor, including but not limited to:

(1) The name and address of the licensee and a statement that the license is not valid after the expiration date.

(2) The number, date of issuance and expiration date of the license

(3) A statement that the license shall not be transferred or assigned. [1959 c.395 §8]

**658.435 Expiration and renewal of licenses.** (1) Each license expires on December 31 following the date of its issuance, unless sooner revoked by the Labor Commissioner.

(2) A license shall be renewed each year upon payment in advance of a fee of \$10, but the Labor Commissioner may require any person seeking renewal to file a new application under subsections (1), (2) and (3) of ORS 658.415 and may conduct a new investigation of the applicant's character, competence and reliability, and of any other matter relating to the manner by which he proposes to conduct and has conducted his operations as a farm labor contractor. [1959 c.395 §7]

**658.440 Duties of farm labor contractors.** (1) Each person licensed to act as a farm labor contractor shall:

(a) Carry his license with him at all times and exhibit it upon request to any person with whom he intends to deal in his capacity as a farm labor contractor.

(b) File immediately at the United States postoffice serving his address, as noted on the face of his license, a correct change of address if he permanently changes his address, and notify the Labor Commissioner each time he changes his address.

(c) Pay or distribute promptly, when due, to the individuals entitled thereto all money or other things of value entrusted to him by any person for that purpose.

(d) Comply with the terms and provisions of all legal and valid agreements or contracts he has entered into in his capacity as a farm labor contractor.

(e) File at an office of the Oregon State Employment Service information relating to his work agreements with farmers and workers on a current basis. This information shall include wages and work to be performed and any other subject required under the rules of the Bureau of Labor, and shall

be posted conspicuously under the rules of the Bureau of Labor.

(2) No person licensed to act as a farm labor contractor, or applying for a license to act as a farm labor contractor, shall:

(a) Make any misrepresentation, false statement or wilful concealment in his application for a license.

(b) Wilfully make or cause to be made to any person any false, fraudulent or misleading representation, or publish or circulate any false, fraudulent or misleading information concerning the terms, condition or existence of employment at any place or by any person.

(c) Do any act in his capacity as a farm labor contractor, or wilfully cause any act to be done, that constitutes a felony under any law of this state.

(d) Solicit or induce, or cause to be solicited or induced, the violation of an existing contract of employment. [1959 c.395 §9, 10]

**658.445 Revocation, suspension or refusal to renew license.** The Labor Commissioner may revoke, suspend or refuse to renew a license to act as a labor contractor upon his own motion or upon complaint by any individual, if:

(1) The licensee or his agent has violated or failed to comply with any provision of ORS 658.405 to 658.455 and subsections (2) and (3) of ORS 658.991; or

(2) The conditions under which the license was issued have changed or no longer exist; or

(3) The licensee's character, reliability or competence makes him unfit to act as a farm labor contractor. [1959 c.395 §11]

**658.450 Applicability of Administrative Procedures Act.** (1) All proceedings relating to the issuance, revocation, suspension, renewal or refusal to renew a license to act as a farm labor contractor shall be conducted under ORS 183.310 to 183.510.

(2) All rules of the Bureau of Labor under ORS 658.405 to 658.455 shall be issued in compliance with ORS 183.310 to 183.510. [1959 c.395 §12]

**658.455 Disposition of moneys received; paying costs of administration.** (1) All fees

and other money received by the Labor Commissioner under ORS 658.405 to 658.455 shall be placed in the General Fund.

(2) The Bureau of Labor shall advance funds to the Department of Employment Commissioner in an amount sufficient to cover the cost of the administration of any of the provisions of ORS 658.405 to 658.455, in accordance with reasonable estimates thereof as determined by the Oregon State Employment Service. In the event that funds have been advanced in excess of the actual cost incurred by the Department of Employment Commissioner, such excess shall be returned to the Bureau of Labor without interest and as soon as practicable [1959 c.395 §13]

**658.460 to 658.985** [Reserved for expansion]

### PENALTIES

**658.990** [Repealed by 1953 c.694 §30]

**658.991 Penalties.** (1) Violation of ORS 658.005 to 658.245 is punishable, upon conviction, by a fine of not less than \$25 nor more than \$250 or by imprisonment in the county jail for not more than 60 days, or by both.

(2) Any person who intentionally defaces, alters or changes a license or permit to act as a farm labor contractor, or who uses the license or permit of another or knowingly permits his own license or permit to be used by another, or who acts as a farm labor contractor without a valid license or permit under ORS 658.405 to 658.455, or who is required to register under subsection (2) of ORS 658.410 but fails to do so, is guilty of a misdemeanor.

(3) Any person who wilfully swears or affirms falsely under subsections (1), (2) or (3) of ORS 658.415 in regard to any matter concerning which an oath or affirmation is required, or who solicits or induces another person to do so, whether or not the matter sworn to or affirmed is material, shall upon conviction be punished by imprisonment in the penitentiary for not more than two years, or by a fine or not more than \$5,000, or both [1953 c.694 §26; subsections (2) and (3) enacted as 1959 c.395 §14]

### CERTIFICATE OF LEGISLATIVE COUNSEL

Pursuant to ORS 173.170, I, Sam R. Haley, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law  
Done at Salem, Oregon,  
on November 1, 1959

Sam R. Haley  
Legislative Counsel